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City and County of San Francisco

Urban Forestry Council

LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, October 10, 2006 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Carolyn Blair, Mike Boss, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

Order of Business

1. **CALL TO ORDER AND ROLL CALL**
2. **DISCUSSION**: The Council Chair, Terry Milne, will discuss selection of Chair for the Landmark Tree Committee.
3. **DISCUSSION and POSSIBLE ACTION**: The Landmark Tree Committee will discuss and possibly vote on establishing operating procedures.
4. **DISCUSSION**: New Business
5. **FUTURE AGENDA ITEMS**
6. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

7. ADJOURNMENT

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

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1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

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The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **www.sfenvironment.com/**; or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: October 5, 2006

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING

DRAFT MINUTES

Thursday, October 10, 2006, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Carolyn Blair, Mike Boss, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

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ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:05 p.m. Present: Members Blair, Boss and Sustarich; Excused: Members Griswold and Habert. Deputy City Attorney Catharine Barnes introduced Deputy City Attorney Alicia Cabrera, legal counsel for the Urban Forestry Council.

2. **DISCUSSION:** The Council Chair, Terry Milne, will discuss selection of Chair for the Landmark Tree Committee.

   Council Chair Milne reported that the Committee Chair's responsibilities would include conducting Landmark Tree Committee meetings and presenting a verbal Committee Report to the full Council at their monthly meetings. In addition, the Chair would present a full report on any landmarking items heard before the Committee that would be transferred and voted on at the full Council. Chair Milne indicated that a written report would not be required. Deputy City Attorney Barnes advised that the landmark tree public hearing would be heard at the Committee level within 60 days of the nomination. The Committee would

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

then make a report to the full Council who then has to take an action based on the report within 90 days of a nomination.

Member Boss asked whether the Chair is required to be familiar with Roberts Rules of Order or if support would be given. Chair Milne recommended that the Council Secretary provide assistance in this effort. The Task Force Secretary offered to provide assistance and a copy of the City Attorney's Good Government Guide, An Overview of the Laws Governing the Conduct of Public Officials, and meeting prompts to the Chair. It was also advised that the City offers a yearly Sunshine Ordinance Training that is open to the public. Deputy City Attorney Barnes stated that Deputy City Attorney Cabrera would be attending meetings and providing advice for as long as needed.

Member Blair expressed her concern with controversial issues that may arise at the Committee and recommended a member with public relations experience, e.g. Member Griswold for Chair. Member Boss volunteered if Member Griswold would not be interested. Council Chair Milne requested that the Task Force Secretary contact Member Griswold and ask if he would be interested in being Chair. An announcement will be made at the next Council meeting.

Member Boss inquired about Ms. Kong's letter suing the action of the Urban Forestry Council and related individuals associated with landmarking the tree on her property and asked if members would be faced with individual liability. Deputy City Attorney Barnes indicated that she drafted a response to Ms. Kong stating that the Urban Forestry Council was providing their recommendation to the Board of Supervisors as an Advisory Council, and she could pursue her point of view with the Board of Supervisors. Members who are acting in their responsibility as a City official are represented by the City Attorney's Office and are not personally liable unless they commit an illegal act and are acting in something other than in the scope of their assigned responsibility. Such complaints would be treated as a suit against the City.

3. **DISCUSSION and POSSIBLE ACTION:** The Landmark Tree Committee discussed and voted on establishing operating procedures.

Chair Milne explained that the required landmark tree hearing would be held at the Landmark Tree Committee and not at the full Council. The Committee would recommend to the full Council to approve a landmark, deny a landmark, or make no recommendation. Landmark tree recommendations that are affirmed or denied would be sent to the Council on a consent calendar so a second hearing would not have to take place at the full Council. If the Committee had no recommendation, the item would have to be heard again at the full Council and could not be included on the consent calendar. Using the consent calendar method, the public can have an opportunity to testify at the full Council if they have new information or could not attend the Landmark Tree Committee meeting. Deputy City Attorney Barnes advised that the public has to have an opportunity to provide public comment. Items can be pulled off the consent calendar as required.

Council Chair Milne advised that the Chair would make a report indicating a description of the tree, discussion at the Committee, and how the Committee voted. The Council would then send their advisory vote on to the Board of Supervisors for their action. It was suggested that all Council members be responsible for looking at the trees before a vote is taken at the full Council and be made aware of nominated trees at the time of nomination.

The Council Secretary advised that the Planning and Policy Committee members agreed that any City agency with jurisdiction for the nominated tree should submit agency evaluation forms to the Committee.

Member Blair requested that (1) Landmark tree nominations be listed under the "Hot Topics" section of the San Francisco Environment website; and (2) evaluation forms be typed.

Member Boss stated that he did not feel the evaluation forms should be completed by Committee members as part of the information could not be assessed. It was indicated that the Urban Forestry Council Associate should be evaluating all of the criteria and providing the information to the Committee Members. It was stated that Committee Members' would add comments to the evaluation forms at the time of the site visit.

Deputy City Attorney Barnes advised of the following main points:

- The Landmark Tree Ordinance specifies that trees must be nominated by the Board of Supervisors, the Planning Commission, City department/agency heads or private property owners.

- The hearing would take place at the Committee level, but the decision is with the full Council. It was recommended that the Committee prepare draft findings that would go to the full Council and the Council could adopt the written findings or make revisions.

- The Landmark Committee's quorum consists of three member votes. The Committee can vote to recommend, vote to recommend against, or not have an action. It was suggested that all members' input be made available or heard at the Council.

- The process starts with the Department of the Environment staff receiving a nomination form, scheduling a Landmark Tree Committee hearing within 60 days of the completed nomination, and determining whether the tree qualifies for landmark status pursuant to adopted designation criteria.

- The full Council has 90 days after the nomination to forward a recommendation to the Board. If the Urban Forestry Council determined that a tree was not eligible for landmark status, the process would stop at the full Council and would not go to the Board of Supervisors. If the Council did not submit written findings within 90 days of the nomination it would be considered a failed nomination, and the Board of Supervisors can then take action. If the Council votes for landmark status, the vote is advisory and the Board has the final say. The Council determines rejection, but not acceptance. If findings are not issued, the Board can adopt their own findings.

- Once a tree is nominated, the tree has 180 days of protection and cannot be removed unless it is a hazard. The Board can adopt a resolution to extend tree protection for an additional ninety days.

- The Board of Supervisors may have another hearing at their Committee level at their discretion.

Upon Motion by Member Blair and second by Member Boss with no objection, the following operating procedures were adopted with no objection:

- Committee members would receive an agenda, nomination forms, San Francisco Environment's Urban Forester evaluation forms, relevant paperwork that includes arguments in support or not in support, homeowners' comments, and expert reports ten working days before the meeting.

- The public and nominating entities would be advised to submit documentation electronically or by mail so it is received thirteen working days before the meeting so the Committee can receive the information within the ten day timeframe in order for proper consideration to be taken. The public and nominating entities would be advised that in order for their issue to be considered properly, documentation should be received within this timeframe.

- Agendas would be posted ten working days before the meeting.

- At the time of nomination, the Department of the Environment's Urban Forester would prepare a notification letter to the property owner advising them of the nomination, hearing date, and timeline for submitting documentation. A set of instructions would be sent along with the notification letter. The property owner should be given the opportunity to request additional time or the next hearing date if required.

- A yearly schedule of Landmark Tree hearings would be posted on San Francisco Environment's website with required dates to submit documentation for each meeting.

- The Landmark Tree Committee will create written instructions to advise the public about the nomination, hearing, and paperwork requirements, and the instructions will be posted on the Department of the Environment's website.

- All nominated trees would be added to the San Francisco Environment's website at the time of nomination.

- If nomination forms are received e.g. nine days before the meeting, the nominations would be heard at the following Landmark Tree Committee meeting.

- The Committee would use the same process as San Francisco Environment's Urban Forester to request property owner consent to conduct a site visit.

- Committee members agreed to prepare their own field evaluation forms that could be brought to the Landmark Tree Committee meeting and discussed at that time.

- The Landmark Tree Committee would create a recommended process to submit to City agencies/department heads/officials. It was recommended that not too many trees be nominated at one time so that the Committee can have adequate time to properly evaluate trees.

4. **DISCUSSION:** New Business. Member Blair recommended that the Board of Supervisors be asked to nominate a tree from their district on Arbor Day (March) to heighten awareness of the event.

5. **FUTURE AGENDA ITEMS.** The next meeting of the Landmark Tree Committee is on November 14, 2006 at 4:00 p.m., in Room 421, City Hall. Future agenda items included (1) Committee to approve the letter to the property owner that Urban Forestry Council Associate Ma would be requested to write and then forward to the full Council for approval; (2) possibly establish further criteria on nomination and evaluation forms after a field test; (3) create instructions for members of the public as to what to expect at meetings, e.g. staff report first, then property owner to speak, etc. .

6. **PUBLIC COMMENT:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

7. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:10 p.m.

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Respectfully submitted by,

Monica Fish, Council Secretary

Adopted:

SF *Environment*
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING

APPROVED MINUTES

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approved

Thursday, October 10, 2006, 4:00 P.M.

City Hall, Room 421
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Respectfully submitted by,

Monica Fish, Council Secretary

Adopted: November 14, 2006

SF Environment

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City and County of San Francisco

Urban Forestry Council

LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, November 14, 2006 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of minutes of the October 10, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the October 10, 2006 Regular Meeting.)

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following address meets the criteria for designation as landmark trees:

   Coastal Redwood (Sequoia sempervirens), 455 Chenery Street

   At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark Tree Nomination Form, pictures, explanatory documents)

   PRESENTER: Grace Ma, Urban Forestry Council Associate

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

4. **DISCUSSION and ACTION:** Nomination, Hearing, and Paperwork Instructions. The Landmark Tree Committee will create written instructions to advise the public about the nomination, hearing, and paperwork requirements.

5. **DISCUSSION and ACTION:** City Agency Instructions. The Landmark Tree Committee will create a recommended process to submit to City agencies/department heads/officials on the Landmark Hearing process and submission requirements.

6. **DISCUSSION and ACTION**: The Landmark Tree Committee will discuss and vote to adopt the Meeting/Documentation Due Dates Schedule. (Explanatory Document: Schedule)

   SPONSOR: Committee Member Mike Boss
   SPEAKER: Grace Ma, Council Associate

7. **DISCUSSION:** The Landmark Tree Committee will discuss creation of an outreach brochure advocating landmarking of trees.

8. **DISCUSSION**: New Business

9. **FUTURE AGENDA ITEMS**

10. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

11. **ADJOURNMENT**

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (10 min)
2) Staff analysis (10 min)
3) Property owner's presentation, including outside professional staff (10 min)
4) Public comment (up to 3 min/per person)
5) Staff Rebuttal (3-5 min)
6) Property Owner Rebuttal (3-5 min)
7) Discussion and Action by Committee

Public Comment

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Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: http://sfgov.org/site/sfenvironment_meeting.asp?id=47179 or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: October 30, 2006

Landmark Tree Nomination Form

Who can nominate a landmark tree?

- A property owner may nominate a tree on his or her property.
- A City department or agency may nominate a tree on their property. City departments and agencies should conduct an internal approval process before nominating a tree.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- A member of the public may approach a property owner, Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board or the head of a City department or agency about nominating a tree.

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:	Authorized nominator (if not owner):
MAYA KAUR DHILLON	
Name	Name
455 CHENERY STREET	
Address	Address
San Francisco,	
Address	Address
California 94131	
Phone (day)	Phone (day)
(415) 334-2922	
Fax #	Fax #
0	
Email 0	Email

Property owner consent ☒ Yes ☐ No

I am the property owner or designee of the property owner and I grant permission for city staff to evaluate a tree on the property with advance notice.

Maya Kaur Dhillon Signature

October 12, 2006 Date

TREE DESCRIPTION

Tree name (species and common name): California Coastal Redwood / Sequoia

Number of trees: 1.

Street address: 455 Chenery St. S.F., CA. 94131

Location of Tree: ☐ Front yard ☒ Rear yard ☐ Side yard ☐ Corner-side yard

☐ Public right-of-way ☐ Public lands ☐ Not sure

☐ Other:

GPS units (OPTIONAL): ____________________

Height 50 feet
Average canopy width[1] 18 feet
Circumference at chest level[2] 36 inches
Circumference at ground level[3] ________ inches

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species
☒ Rare

Size or Age
☒ Greater than typical mature size or age

Cultural/Historical Value
☒ Significant historical or cultural association with person, place, event
☒ Significant ethnic appreciation
☒ Neighborhood appreciation of tree
☒ Part of planting that defines neighborhood character
☐ Profiled in a publication or other media

Key Location
☐ High traffic area
☒ Low tree density area
☐ Extends between several properties
☐ Visually accessible from public right-of-way

Ecology
☒ Important wildlife habitat
☐ Part of interdependent group of trees
☒ Erosion control
☒ Wind or sound barrier

Visual characteristic
☒ Prominent landscape feature
☒ Character defining form

Tree Condition
☒ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

☐ Root issues
☐ Mushrooms (trunk or base of tree)
☐ Trunk wounds or cracks
☐ Trunk cavities
☐ Broken or dead branches
☐ Crowded or crossing branches
☐ Pest or disease problem
☐ Previous construction that may have damaged tree

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event. I am a 1st. generation American of East Indian/British parentage. I am 1st. person from either shore to own my own home; and in America, no less. I have a karmic link with California, right down to its fantastic trees of California origin, too. I sit under my Sequoia, just like Lord Buddha sat under his Bodhi tree. No difference!

Describe how/why the tree has cultural, social and/or historical importance.
I am a devout + practicing Buddhist of 20 yrs. + I often chant + meditate under my magnificent Tree.

Describe how/why the tree is a defining or meaningful feature of a neighborhood. As I ride my bike throughout S.F. neighborhoods, eg. Noe Valley, Glen Park, Bernal, Excelsior, outer + inner Mission — I have yet to behold another California redwood. Mine seems to be quite unique in our urban landscape

Describe how/why the tree has ecological value like wildlife habitat and erosion control.
Many birds nest in it. I see turtle-doves. Blue jays, + many other species I'm not familiar with. Nests are clearly visible from my bedroom window. Birds watch me, as I watch them (from my bed)

Describe any tree health or structure issues.
Absolutely none!

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (see below). In addition, it is acceptable if you are unable to provide some of the information requested on this form.

A photograph of the tree must be submitted with this form. Yes

Please attach **optional** supporting documents such as letters, arborist report, etc. Yes

Send to: Urban Forestry Council, c/o Alexis Harte, 11 Grove Street, San Francisco, CA 94102
OR SFUrbanForestCouncil@sfgov.org

FOR STAFF USE ONLY
Application received date 10/13/06
Received by GRACE MA
Tree evaluation form
UFC recommendation date
Board of Supervisors Decision
Landmark Tree #
Title recorded date

Protecting remarkable trees in the city

by Jocelyn Cohen

How can we quantify the importance of trees for an individual, community or the well-being of the urban forest? What does it mean to preserve a small Japanese black pine that symbolizes a long history to the surrounding neighborhood? How can we measure the importance of a single tree in an otherwise treeless street that carries stories for generations of inhabitants?

San Francisco recently passed an ordinance that allows people to tell the City about trees that are special – and help protect and preserve these trees. The Landmark and Significant Tree Ordinance adds to the City's existing tree laws, defining "significant trees" and establishing a regulatory program that governs their care and removal.

The amendments allow community members and city officials to nominate trees for protection. Once nominated, the tree is evaluated by the Urban Forestry Council, which makes a recommendation to the Board of Supervisors, which ultimately grants the tree landmark status.

The Urban Forestry Council will consider several factors when deciding whether or not to recommend a tree for landmark status, such as size, age, rarity cultural, ecological, or historical importance, and notable visual characteristics.

Any tree can be landmarked, including street trees, trees on City property, and trees on privately owned property.

A member of the public who wishes to nominate a tree that is not on his or her property will need to get support from an authorized nominator – namely the SF Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board, heads of City departments or agencies, or the property owner.

A tree automatically becomes "significant" if some portion of its trunk is within 10 feet of the public right-of-way and meets one of following three criteria: a diameter of at least 12 inches, a height of 20 feet or a canopy spread in excess of 15 feet.

These criteria include all trees under the jurisdiction of the Department of Public Works and privately-owned trees within 10 feet of a public right of way.

Unlike landmark trees, significant trees are automatically protected based solely on this size/location criteria and do not need to be nominated.

With the new ordinance in place, it's no longer difficult to calculate what a special tree or grove of trees means to you. The Landmark Tree Nomination Form makes the process simple and enjoyable. Go to www.sfenvironment.org/landmarktree for landmark tree nomination forms. For the complete text of the SF Urban Forest Ordinance visit www.sfenvironment.org/landmarktree.

Jocelyn Cohen works as a certified arborist, garden designer and aesthetic pruner. She is a member of the Urban Forestry Council and can be reached at jocelyn@jocelync.com.

Neighborhood Views

Trees add value to the neighborhood

West Portal would benefit from a tree-lined streets program

by Todd Prager

Imagine a West Portal with tree-lined streets in the style of St. Francis Wood or Forest Hill. The vast green canopy could hover over us, softening the edges of a sometimes harsh urban landscape. The environmental benefits would include a reduction in pollutants and global warming, as well as an increase in wildlife habitat. In addition, studies show that there is also a direct economic benefit to homeowners, as trees have been proven to increase property values by one percent per tree (*Anderson and Cordell*, 1988).

How can we make this dream a reality? By collectively deciding we want to support such an endeavor in the ways that other neighborhoods already have.

If 50 percent of the weighted property owners in the West Portal district vote to fund a comprehensive tree planting and maintenance program by a professional tree care company, it would be mandated by law that our streets would become lined with healthy, beautiful trees.

Why should we pay a professional organization to do this? Because planting and maintaining trees can be a complicated and expensive endeavor that is best left up to professionals. Evidence of this can be seen by walking down any city street and observing empty tree basins where trees have died and property owners have given up on replanting. Also, one can see scores of existing trees that have been damaged and are in poor condition because of improper pruning, maintenance and neglect.

By collectively contributing to a neighborhood-wide tree care fund to pay professionals to [illegible] trees, we could more efficiently spread out the financial and maintenance burden.

How much [illegible] of this cost [illegible]? That is a [illegible] question because it is hard to get estimates for a service that is not yet completely or clearly defined. It is even harder [illegible] tree care company to give an estimate for a project that does not yet have a clear source of funding.

Fortunately, because the professional arborists of a reputable local tree care company called City Trees thought this was such a great concept, they generously survey over 200 trees in West Portal to provide a rough estimate of the cost. Their estimate was based on planting the 10 percent of empty planting locations; removing and replanting the 10 percent of dead and declining trees; watering all newly-planted trees; pruning trees of any size requiring pruning; phasing in new trees at properties that currently do not have basins cut in the sidewalk; and generally maintaining all tree basins and stakes. These services would cost approximately $15 to $30 per month, per property owner.

The costs could be further reduced by taking advantage of the many available grant opportunities, such as the Community Challenge Grant in which the City will match funds that go towards neighborhood beautification projects. If the City matched funds for this program, then the costs could be further lowered to about $7.50 to $15 per month, per property owner.

If that still sounds expensive, consider that the average selling price of a home in West Portal is $1 million and mature street trees have been proven to add one percent per tree to the value of a typical property. A simple calculation shows a mature tree would increase the value of a West Portal home by about $10,000.

This amount dwarfs the cost of 15 years of tree maintenance required to obtain a mature sized tree, which at $7.50 to $30 per month, would add up to between $1,350 to $5,400. In addition to the financial benefits, the value that beautiful tree-lined streets would add to the quality of life in West Portal would be immeasurable.

[illegible]

TREE SHAPERS, LLC
TED KIPPING (WC-ISA #0301) • **PHIL DANIELSON** (WC-ISA #5021)
Members, Bay Area Arborist Cooperative, Inc. - License No. 707545
257 Joost Avenue, San Francisco, California 94131 • (415) 239-2420 • (415) 239-7465 Fax • Certified Arborists

October 4, 2006

Mayya Dhillon
455 Chenery Street
San Francisco, CA. 94131

Dear Mayya Dhillon,

Per your request, on 9/27/2006 I visited the property at 455 Chenery Street, San Francisco. Your concern was for me to examine a mature Coastal Redwood in relation to a proposed major construction immediat to the west of the tree.

What I observed was a Coastal Redwood/*Sequoia sempervirens* that was approximately 45-50feet tall wit a DBH of 34 inches. DBH being the diameter of the tree at breast height, 52 inches above grade. It was located on the west side of the garden behind the residence. A healthy redwood constrained in height by t wind but with a canopy radius of about eighteen feet - enough to reach halfway across the roof of the adjacent cottage. The trunk flares out at the property line so fully that it is pushing over the existing westsi fence.

This was a visual inspection only. No boring,drilling, or root-crown excavations were performed..

Redwoods this size in a windy location like this require a lot of water to stay healthy and successfully resis Branch Dieback Disease/*Botryosphaeria dothidea*. This tree undoubtedly has its roots into a secure water source. Soils engineering reports for your neighbors on the east side indicate that ground water was encountered at just thirteen and eighteen feet below the surface. The roots certainly follow the buttresses pushing over the fence into and under the soil of the adjacent backyard. It is my understanding that the proposed construction would excavate two stories below the existing grade, that the building will extend twenty feet beyond the existing rear building corner, and that the proposed building envelope will rise four stories above the street level..

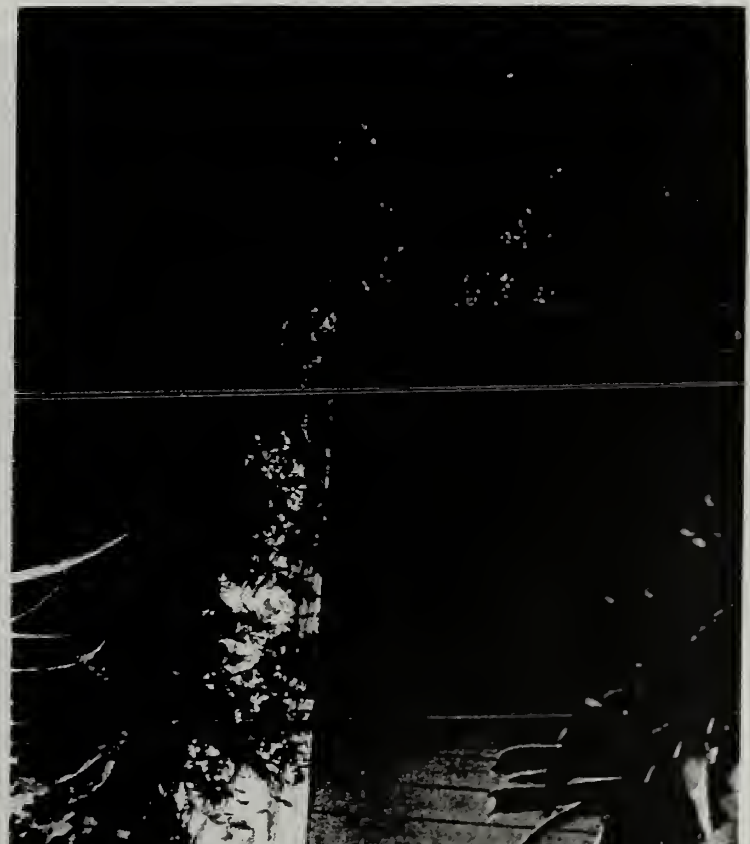
If this construction goes through as proposed it will cut deeply into the vital structure of your big Redwood. Both the sustaining root system and stabilizing rootbuttress and the whole of the westside canopy will be destroyed. This tree will not survive such a violent imposition.

Have the developers either modify their plans to accommodate the vital and healthy continuance of this tre or have them pay you for the loss of amenity as well as property resale values..

Sincerely

Ted Kipping - ISA WC-0301

Ted Kipping



URBAN FORESTRY COUNCIL

LANDMARK TREE COMMITTEE

MEETING SCHEDULE AND NOMINATION/DOCUMENTATION DUE DATES

NOVEMBER 2006 – DECEMBER 2007

The following are meeting dates for the Urban Forestry Council Landmark Tree Committee and due dates for nomination forms and documentation. Please submit nomination forms to Grace Ma, Urban Forestry Council Associate, 11 Grove Street, San Francisco, CA 94102 or by email to Grace.Ma@sfgov.org. Please submit documentation related to nominations to Monica Fish, Council Secretary, 11 Grove Street, San Francisco, CA 94102 or by email to Monica.Fish@sfgov.org.

For further information regarding documentation and due dates, please contact Monica Fish, Council Secretary at (415) 355-3709 or Grace Ma, Urban Forestry Council Associate at (415) 355-3731. Questions can also be emailed to Monica.Fish@sfgov.org or Grace.Ma@sfgov.org.

Meeting Date	**Nomination Forms/ Documentation to Members Due Date**	**Documentation to SFE Due Date**
November 14, 2006	October 31, 2006	October 26, 2006
December 12, 2006	November 28, 2006	November 22, 2006
January 9, 2007	December 26, 2006	December 21, 2006
February 13, 2007	January 30, 2007	January 25, 2007
March 13, 2007	February 27, 2007	February 22, 2007
April 10, 2007	March 27, 2007	March 22, 2007
May 8, 2007	April 24, 2007	April 19, 2007
June 12, 2007	May 29, 2007	May 24, 2007
July 10, 2007	June 26, 2007	June 21, 2007
August 14, 2007	July 31, 2007	July 26, 2007
September 11, 2007	August 28, 2007	August 23, 2007
October 9, 2007	September 25, 2007	September 20, 2007
November 13, 2007	October 30, 2007	October 25, 2007
December 11, 2007	November 27, 2007	November 21, 2007

October 17, 2006

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

Month Day, Year

Street Address
San Francisco, CA Zip

Dear Property Owner,

I am writing in regard to the common name (scientific name) at street location. [Nominator's full name] has officially nominated this tree for landmark status. [Since a Supervisor has nominated your tree, it receives temporary protection as a landmark tree for 180 days from the date of resolution of intent to nominate. This means you need a removal permit from Public Works.]

As you may know, the City and County of San Francisco has a landmark tree program. The landmark tree designation is a way to preserve special and notable trees. If a tree receives landmark tree designation, a permit from Department of Public Works will be required to remove the tree. I have included a packet of information to explain the landmark tree process.

Several things will happen next. If you grant me permission, I will visit and evaluate the tree on your property. I will give my evaluation form to the Landmark Tree Committee. If you can accommodate the Landmark Tree Committee members, they would like to view the tree at your convenience. On [month, day year] the Landmark Tree Committee will hold a public tree hearing to discuss the landmark nomination of your tree. On [month, day, year] the Urban Forestry Council will vote on supporting or rejecting this nomination. If the Council supports the nomination, they will forward a resolution to the Board of Supervisors. The Board will vote and make the final decision on the landmark status of this tree.

Please contact me if you have further questions.

Sincerely,

Grace Ma
Urban Forest Specialist
grace.ma@sfgov.org
415-355-3731

Department of the Environment, City and County of San Francisco
11 Grove Street, San Francisco, CA 94102
Telephone: (415) 355-3700 • Fax: (415) 554-6393
Email: environment@sfgov.org • www.sfenvironment.com
♻ 100% Post-Consumer Content

Release Form for the Inspection of Landmark Trees

I own the property at ____

I authorize a city staff member to enter my property and examine the _______________ tree. This information will be given to the Urban Forestry Council at a public meeting to aid in their decision making process.

________________________ Name

________________________ Signature

________________________ Date

Release Form for the Inspection of Landmark Trees

I own the property at ____

I authorize Landmark Tree Committee members to enter my property and examine the _______________ tree. Committee members will use this information at a public meeting to aid in their decision making process.

________________________ Name

________________________ Signature

________________________ Date

SF *Environment*
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING

DRAFT MINUTES

SF
E84.96
#2
11/14/06
draft

Thursday, November 14, 2006, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

DOCUMENTS DEPT.
DEC 15 2006
SAN FRANCISCO
PUBLIC LIBRARY

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:03 p.m. Present: Chair Boss, Members Blair (4:10 p.m.), Griswold, Habert (4:10 p.m.), and Sustarich. Deputy City Attorney Alicia Cabrera was present.

2. **ACTION**: Adoption of minutes of the October 10, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon motion by Member Sustarich and second by Chair Boss, the October 10, 2006 Meeting Minutes were approved with no objection. (Absent: Members Blair and Habert) (Explanatory Document: Approved Minutes of the October 10, 2006 Regular Meeting (HTML) http://sfgov.org/site/sfenvironment_page.asp?id=47777.)

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee held a hearing to determine whether the tree nominated at the following address meets the criteria for designation as landmark trees:

- Coastal Redwood (Sequoia sempervirens), 455 Chenery Street

At the conclusion of the hearing, the Landmark Tree Committee voted on whether to approve or reject the nomination. Written findings will be adopted to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark Tree Nomination Form, pictures, explanatory documents (PDF) 455 Chenery Nomination, Opposition (PDF) 455 Chenery Opposition, Evaluation Forms (PDF) Evaluation Forms 455 Chenery Chair Boss Evaluation Received in Committee Meeting (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/MBossEvaluationForm.pdf; Draft Letters of Support (Word) Landmark Tree Support Letter, Rejection (Word) Landmark Tree Rejection Letter and No Position (Word) Landmark Tree No Action Letter; Planning Commission Action 461 Chenery (Word) 461 Chenery Planning Commission and Assessors Maps (PDF) Assessors Maps 455 and 461 Chenery.

PRESENTER: Grace Ma, Urban Forestry Council Associate

Chair Boss stated that the purpose of this agenda item is for the Committee to determine whether the subject tree qualifies for landmark status and to send its decision to the Urban Forestry Council. It was advised that the Urban Forestry Council serves as Advisory Council to the Board of Supervisors, and the decision ultimately lies with the Board of Supervisors. The Urban Forestry Council will decide at their next meeting on December 8 whether to forward its recommendation to the Board of Supervisors.

Property Owner's Presentation

Ms. Maya Dhillon, the nominator and property owner, stated that she had submitted a request for a discretionary review hearing on the proposed construction at 461 Chenery Street that was rejected by the Planning Department's Zoning Administrator. Ms. Dhillon expressed her concern that the nomination forms, Ms. Ma's evaluation form, and other relevant documents that contained personal information were shared with the opposing party of the nomination. Ms. Dhillon stated that she had presented this issue to District Attorney Kamala Harris.

Ms. Dhillon discussed her opposition to the proposed construction initiated by Mr. Gillies, the property owner at 461 Chenery Street, which is adjacent to Ms. Dhillon's property and contains portions of the subject tree. It was stated that an Arborist Report prepared by Mr. Ted Kipping of Tree Shapers, LLC indicates that the proposed construction would cause damage to the subject tree.

Ms. Dhillon questioned the credibility of an environmental exemption issued by the Department of Building Inspection and stated there was an absence of analyses that were necessary for the issuance of building permits for the proposed project. (Explanatory Statement attached: (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/MsDhillonStatement111406Mtg.pdf.) The Landmarks Tree Committee was asked to support the landmarking of the subject tree.

Staff Analyses

Council Associate Ma advised that she and five Committee members had examined and prepared evaluation forms on the subject tree. Ms. Ma described findings contained in her evaluation form and distributed photos taken at the site (Explanatory Document: Evaluation Forms attached above and Photos (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/GraceMaPhotos.pdf.

Opposing Side Presentation

Explanatory Document attached: Opposition to Landmark Tree Nomination at 455 Chenery Street (PDF)
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/OppositiontoLandmarkTreeNominationat455%20ChenerySt.pdf.
Documents Received in Committee Meeting: Presentation; Project Design; Discretionary Review (PDF):
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/OppositionPresentation461Chenery.pdf.

Mr. Daniel Frattin, Reuben & Junius, LLP spoke on behalf of Mr. Doug Gillies, owner of 461 Chenery Street that is adjacent to the proposed landmark tree nomination at 455 Chenery Street. Mr. Frattin stated that Mr. Gillies had filed building permits to add on to his home at 461 Chenery Street, and that Ms. Dhillon objected based on concerns for the subject tree. It was stated that Ms. Dhillon presented her concerns at a Planning Commission hearing, and that the Planning Commission did not choose to elect the tree for landmark status. The Planning Commission approved construction at Mr. Gillies property subject to the condition that he retain an arborist to determine what steps were necessary to protect the tree or replace the tree if its loss were unavoidable. This condition was complied with and Mr. John Bryan, Arborist was present to answer questions.

Mr. Frattin opposed the landmark nomination on the grounds that all property owners must support the nomination of a tree, and portions of the subject tree were on Mr. Gillies' property. Additional arguments opposing the nomination were presented as explained in the Explanatory Document above. It was requested that the Committee oppose the request to landmark the subject tree.

Committee Questions

Member Sustarich asked Ms. Dhillon if she had information as to when the tree was planted. Ms. Dhillon stated that a previous arborist had estimated that the tree was over 100 years ago.

Member Blair stated that Ms. Dhillon had the right to nominate the tree because the majority of the tree is in her backyard (the trunk) and referenced a book entitled "Neighbor Law."

Deputy City Attorney Cabrera advised that it was the Landmark Tree Committee's decision/interpretation whether the nomination was properly before the Committee and as to whether the tree should be jointly nominated because portions are in Mr. Gillies' property.

Chair Boss stated that because of lack of a legal precedent, this legal issue could not be settled at the Committee meeting at this time.

Mr. Gillies stated that the Planning Commission approved the project and that Mr. Bryant, Arborist, has been retained to consult with his architect/structural engineers to minimize the damage to the tree and still build the project.

Chair Boss asked what type of adaptations the design drawings contain to accommodate the preservation of the tree. Mr. Gillies stated that those were not available this early in the process. Member Boss stated that the issue before the Landmark Tree Committee was whether this tree is worthy of landmark status, and not whether the construction would effect the tree or not.

Deputy City Attorney Cabrera stated that the Committee did have to address the issue whether the nomination was properly before the Committee.

Public Comment

Mr. John Bryan, Certified and Registered Consulting Arborist stated that in his opinion the tree does not merit landmark status. Reasons given were the lack of growth, poor visual characteristics, accumulation of debris and dead wood, ivy/upper parts causing a home for insects, etc., poorly maintained, blocks light, and that it was not a rare tree.

Staff Rebuttal

Staff did not present comments at this time.

Property Owner Rebuttal

Ms. Dhillon indicated that the subject tree is a healthy redwood, and that the proposed construction would cause the destruction of the subject tree. It was stated that this situation is a matter of life and death for both her and the subject tree. Ms. Dhillon advised that the Zoning Administrator said that she should pay for half of the price of removal of the tree and that removing the tree from the property would be an additional expense, which she opposes. Ms. Dhillon again opposed the sharing of relevant documentation with the opposing party. An arborist statement was distributed in Committee meeting (PDF)
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/ArboristStatement.pdf

Deputy City Attorney Cabrera advised that all documents submitted to the Urban Forestry Council including evaluation forms are public records. Ms. Fish indicated that all documentation is posted on the Department's website and is sent to the San Francisco Public Library as part of Sunshine Ordinance requirements.

Ms. Dhillon stated that was against the law to share her ethnicity and religion with the public. Deputy City Attorney Cabrera advised that if that information is voluntarily placed on a public record, it is open to the public. Ms. Ma advised that she had not asked for Ms. Dhillon's ethnicity and religion, and Ms. Dhillon had voluntarily written the information on the nomination form.

Affected Property Owner Rebuttal

Mr. Frattin stated that the Committee is not legally empowered to decide on this landmark tree nomination and that it is a policy decision and should be deferred. The policy decision would be that the Committee would be taking applications from one property owner for a tree that spreads over several properties. Mr. Frattin indicated that the landmark tree nomination is a result of one property owner/neighbor opposing the construction of another property owner/neighbor. It was stated that if this is a worthy tree, that a Board of Supervisors member, a Landmarks Preservation Advisory Board member or another Department head would move the nomination forward. The Committee was urged to reject the landmark nomination of the subject tree.

Committee Members' Discussion

Member Blair urged the Landmark Tree Committee to landmark the tree because it is a rare tree, one of grandeur, and is one of the few redwoods left in the City. Other reasons given included that (1) there is less than 1% of 668,000 trees left in the City; (2) the tree has legally been nominated by a property owner; (3) the Planning Department can grant a 25 to 45% setback so that the adjacent property owner can enjoy economic profit from his development and still include this existing tree, which would increase his property value.

Member Sustarich stated that (1) the tree was planted in the wrong location next to the property line; (2) the property trunks would cause problems in the future; (3) was not properly maintained as a landmark tree; and (4) not appropriate for a backyard.

Chair Boss recommended that the tree not be landmarked. Reasons given include: (1) the tree is limited in its value to Ms. Dhillon's visual inspection as it is not open to public view; (2) a redwood tree cannot be characterized as a rare tree in a coastal California climate; (3) it is not a common tree in San Francisco, but there are many redwood trees throughout the City and in backyards; (4) no notable ecological function; and (5) not spectacular in its height, size or form, or part of a significant community.

Member Blair asked how many redwood trees there are in a backyard in residential areas. Chair Boss stated that it is not a common tree in residences, but it is not a rare tree.

Deputy City Attorney Cabrera stated that if the Urban Forestry Council decides not to nominate the tree, it is not forwarded to the Board of Supervisors. If a decision is made to nominate the tree for landmark status, then it will go to the Board of Supervisors. The Landmark Tree Committee will make a recommendation to the Urban Forestry Council. Chair Boss stated that the Committee's vote would be presented to the full Council

VOTE: (3-2 Not to Landmark)

Upon Motion by Member Blair and second by Member Habert, to approve landmarking the tree at 455 Chenery Street. The motion failed by the following vote: (AYES: Members Blair and Habert); (NOES: Members Boss, Griswold, and Sustarich). Chair Boss announced that the Landmark Tree Committee recommended against landmark status by a vote of 3-2.

Member Griswold asked if all nominations that come to the Landmark Tree Committee are presented to the full Council with opponents and proponents presenting their case. Deputy City Attorney Cabrera stated that the Urban Forestry Council will hear public comment, but there would not be an additional hearing.

Public Comment: Mr. Gillies asked for clarification on the landmark tree ordinance in reference to state law and landmark tree ordinance. Deputy City Attorney Cabrera referenced Ordinance Section 810(b)(1)(i), Nominations, that states that the property owner whose property contains the subject tree by a written request to the Urban Forestry Council is the person that can nominate. The argument is that the word "contains" is subject to interpretation whether or not if a tree extends into the adjacent property whether the adjacent property owner has the right to be joined into the property nomination. The question is whether just the owner that has the tree trunk on their main property is the only nomination you need to be valid to present before the Committee and the Council. On the state side, there was an opposition submitted dated November 9th, and on page 4, Section 3, "Encroaching Branches and Roots Belong to Mr. Gillies under State Law." In that paragraph, there is case law by Mr. Daniel Frattin that says because the branches are on his client's property, that under California case law, he is allowed to trim the branches that encroach onto his property. Chair Boss stated that the adjacent property owner has the right to trim those, but has to do so in a way that would not disfigure the tree.

4. **DISCUSSION and ACTION:** Nomination, Hearing, and Paperwork Instructions. The Landmark Tree Committee voted to approve written instructions to advise the public about the nomination, hearing, and paperwork requirements. (Explanatory Documents: Property Owner Notification Letter Draft, Release to Evaluate Trees; and Draft Letters of Support (Word) Landmark Tree Support Letter, Rejection (Word) Landmark Tree Rejection Letter and No Position (Word) Landmark Tree No Action Letter.)

   Council Associate Ma described the two generic templates that were created in order to (1) notify a property owner of landmark tree nomination and process and (2) the property owner release for Committee members to enter their property to examine the tree. Deputy City Attorney Cabrera recommended a written release opposed to a verbal release and that only one property release form/signature was needed. Chair Boss recommended that Council Associate Ma bring the form with her after receiving a verbal release for the property owner's signature. Deputy City Attorney Cabrera recommended including the release form in the nomination packet. It was advised that if the property owner does not agree to a release to enter their property, there is no right to go onto their property, and members may be limited to viewing the tree from the street.

   Council Associate Ma described the property owner notification form letters that were created to notify the property owner of the Urban Forestry Council's support of a landmark tree nomination, rejection, or no action. Ms. Fish recommended that the form letters contain a reference that the Resolution adopted by the Council would be attached. Deputy City Attorney Cabrera recommended that the full Council adopt the subject forms after the Committee's recommendation.

Upon Motion by Member Blair and second by Member Griswold, written instructions to advise the public about the nomination, hearing, and paperwork requirements were approved with no objection to forward to the full Council for their adoption at the December 8 meeting.

5. **DISCUSSION and ACTION:** City Agency Instructions. The Landmark Tree Committee will create a recommended process to submit to City agencies/department heads/officials on the Landmark Hearing process and submission requirements (Explanatory Document: (Word) Landmark Tree Notification Procedures.)

Council Associate Ma advised that she has created an internal Landmark Tree Notification Procedure and requested that the Committee review and be aware of the process. Member Griswold inquired as to how temporary landmark protection status can be reached after submitting an official nomination to the Urban Forestry Council. Council Associate Ma explained that if a Board of Supervisors member nominates a tree, it receives immediate temporary landmark status. If a property owner nominates a tree, the second statement of the procedure would apply which states, "This tree has only been nominated at this time. A later notice will indicate if it is eligible for landmark protections." The statement "This tree has received designated landmark status and should be protected" would apply if the Council and the Board of Supervisors were to approve landmark status. Members Boss and Griswold recommended that the procedures should be changed to include position titles instead of proper names. Review and approval of the internal process would be discussed at the next Committee meeting in December.

Council Secretary Fish stated that the Committee at their October meeting requested that City Agency instructions be created that explains the Committee's expectations in regards to timelines and paperwork requirements. Council Associate Ma stated that additional instructions would not be required because the Nomination Forms already have adequate instructions. Member Griswold complimented an article written by Council Member Cohen on protecting significant trees in San Francisco, and the Committee discussed including the article in the Nomination Packet. Council Associate Ma stated that she could create a cover letter addressed to City agency department heads with copies of the nomination forms and meeting schedule/nomination and documentation due dates.

Deputy City Attorney Cabrera stated that this agenda item indicates that the Committee would be creating City agency instructions. **The Committee agreed that the Nomination Forms contain all relevant instructions and additional instructions would not be necessary at this time. Upon Motion By Member Griswold and second by Chair Boss with no objection, this item was removed from the agenda.**

6. **DISCUSSION and ACTION**: The Landmark Tree Committee discussed and voted to adopt the Meeting/Documentation Due Dates Schedule. (Explanatory Document: Schedule (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/Landmark%20Tree%20Meeting%20Documentation%20Due%20Dates.doc)

SPONSOR: Committee Member Mike Boss
SPEAKER: Monica Fish, Urban Forestry Council Secretary

Council Secretary Fish stated that the Meeting/Documentation Due Dates Schedule was created based on discussions held at the October Committee meeting. **Upon Motion by Member Griswold and second by Member Sustarich, the Meeting/ Documentation Due Dates Schedule was approved with no objection.**

7. **DISCUSSION:** The Landmark Tree Committee discussed creation of an outreach brochure advocating landmarking of trees.

Council Secretary Fish advised that the Urban Forestry Council requested that creation of an outreach brochure be heard at a Landmark Tree Committee meeting. Member Blair stated that this item was at the request of Council Member Ora Sherk. Member Griswold stated that Council Member Cohen's article was a good introduction to the public. Chair Boss asked if there was a budget available to produce and distribute a brochure. Council Associate Ma advised that there is no funding available for Fiscal-Year 2006-07.

Member Habert recommended that an outreach strategy be discussed, and that a brochure may not be the answer. Member Blair advised that the purpose would be for education and outreach and recommended using the Department's website as an outreach tool. Council Associate Ma advised that Council Member Miller suggested that other organizations such as PG&E and PUC be consulted for this effort. Member Griswold recommended developing a program that would search out, recruit, and celebrate landmark trees. Member Blair recommended that each Supervisor nominate a tree from their district and Department heads nominate a tree that is in their jurisdiction.

Public Comment: Urban Forestry Council Chair Milne advised that the Department of the Environment's Director has pending before him five or six trees that could be considered for landmark status. It was advised that the Funding Committee discussed outreach and publicity for this program at their September meeting. Council Associate Ma was asked to provide a list of pending trees to Committee members.

8. **DISCUSSION**: New Business

Chair Boss stated that the Committee, Council, or Board of Supervisors address trees spanning property lines and how it affects the nomination of a property owner. Chair Boss requested that this issue be placed on the next Committee meeting agenda.

Member Blair recommended that the Deputy City Attorney review this issue. Deputy City Attorney Cabrera stated that she has reviewed this issue and it is subject to the Council and Committee's interpretation. It was advised that if the Urban Forestry Council feels that the Ordinance is unclear, the proper route would be to request that the

Board of Supervisors make an amendment to further clarify. It was recommended that the entire Ordinance be examined for future amendments. Member Habert stated that the Committee should not be a forum for disputes between property owners. It was suggested that there be better coordination between the Planning Department and the Landmark Tree Committee process. Member Habert recommended proper notification processes between property owners when trees span two property lines.

Chair Boss asked about the status of the tree at 4124-23rd Street. Council Associate Ma stated that a Resolution of Intent to Nominate has been introduced at this time and discussed current work that is being done on the property.

9. **FUTURE AGENDA ITEMS**

   Deputy City Attorney Cabrera stated that she would discuss the landmarking tree process and Board of Supervisors Rule 5.31 as requested by Member Blair at a future Council Meeting.

10. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

11. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:40 p.m.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org.**

Respectfully submitted by,

Monica Fish, Council Secretary

Adopted:

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

SF
E84.96
#2
11/14/06
approved

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING

APPROVED MINUTES

Thursday, November 14, 2006, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

DOCUMENTS DEPT.
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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:03 p.m. Present: Chair Boss, Members Blair (4:10 p.m.), Griswold, Habert (4:10 p.m.), and Sustarich. Deputy City Attorney Alicia Cabrera was present.

2. **ACTION**: Adoption of minutes of the October 10, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon motion by Member Sustarich and second by Chair Boss, the October 10, 2006 Meeting Minutes were approved with no objection. (Absent: Members Blair and Habert) (Explanatory Document: Approved Minutes of the October 10, 2006 Regular Meeting (HTML) http://sfgov.org/site/sfenvironment_page.asp?id=47777.)

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee held a hearing to determine whether the tree nominated at the following address meets the criteria for designation as landmark trees:

- Coastal Redwood (Sequoia sempervirens), 455 Chenery Street

At the conclusion of the hearing, the Landmark Tree Committee voted on whether to approve or reject the nomination. Written findings will be adopted to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark Tree Nomination Form, pictures, explanatory documents (PDF) 455 Chenery Nomination, Opposition (PDF) 455 Chenery Opposition, Evaluation Forms (PDF) Evaluation Forms 455 Chenery Chair Boss Evaluation Received in Committee Meeting (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/MBossEvaluationForm.pdf; Draft Letters of Support (Word) Landmark Tree Support Letter, Rejection (Word) Landmark Tree Rejection Letter and No Position (Word) Landmark Tree No Action Letter; Planning Commission Action 461 Chenery (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/461CheneryPlanningCommission.doc and Assessors Maps (PDF) Assessors Maps 455 and 461 Chenery.

PRESENTER: Grace Ma, Urban Forestry Council Associate

Chair Boss stated that the purpose of this agenda item is for the Committee to determine whether the subject tree qualifies for landmark status and to send its decision to the Urban Forestry Council. It was advised that the Urban Forestry Council serves as Advisory Council to the Board of Supervisors, and the decision ultimately lies with the Board of Supervisors. The Urban Forestry Council will decide at their next meeting on December 8 whether to forward its recommendation to the Board of Supervisors.

Property Owner's Presentation

Ms. Maya Dhillon, the nominator and property owner, stated that she had submitted a request for a discretionary review hearing on the proposed construction at 461 Chenery Street that was rejected by the Planning Department's Zoning Administrator. Ms. Dhillon expressed her concern that the nomination forms, Ms. Ma's evaluation form, and other relevant documents that contained personal information were shared with the opposing party of the nomination. Ms. Dhillon stated that she had presented this issue to District Attorney Kamala Harris.

Ms. Dhillon discussed her opposition to the proposed construction initiated by Mr. Gillies, the property owner at 461 Chenery Street, which is adjacent to Ms. Dhillon's property and contains portions of the subject tree. It was stated that an Arborist Report prepared by Mr. Ted Kipping of Tree Shapers, LLC indicates that the proposed construction would cause damage to the subject tree.

Ms. Dhillon questioned the credibility of an environmental exemption issued by the Department of Building Inspection and stated there was an absence of analyses that were necessary for the issuance of building permits for the proposed project. (Explanatory Statement attached: (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/MsDhillonStatement111406Mtg.pdf.) The Landmarks Tree Committee was asked to support the landmarking of the subject tree.

Staff Analyses

Council Associate Ma advised that she and five Committee members had examined and prepared evaluation forms on the subject tree. Ms. Ma described findings contained in her evaluation form and distributed photos taken at the site (Explanatory Document: Evaluation Forms attached above and Photos (PDF)
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/GraceMaPhotos.pdf.

Opposing Side Presentation

Explanatory Document attached: Opposition to Landmark Tree Nomination at 455 Chenery Street (PDF)
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/OppositiontoLandmarkTreeNominationat455%20ChenerySt.pdf.
Documents Received in Committee Meeting: Presentation; Project Design; Discretionary Review (PDF):
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/OppositionPresentation461Chenery.pdf.

Mr. Daniel Frattin, Reuben & Junius, LLP spoke on behalf of Mr. Doug Gillies, owner of 461 Chenery Street that is adjacent to the proposed landmark tree nomination at 455 Chenery Street. Mr. Frattin stated that Mr. Gillies had filed building permits to add on to his home at 461 Chenery Street, and that Ms. Dhillon objected based on concerns for the subject tree. It was stated that Ms. Dhillon presented her concerns at a Planning Commission hearing, and that the Planning Commission did not choose to elect the tree for landmark status. The Planning Commission approved construction at Mr. Gillies property subject to the condition that he retain an arborist to determine what steps were necessary to protect the tree or replace the tree if its loss were unavoidable. This condition was complied with and Mr. John Bryan, Arborist was present to answer questions.

Mr. Frattin opposed the landmark nomination on the grounds that all property owners must support the nomination of a tree, and portions of the subject tree were on Mr. Gillies' property. Additional arguments opposing the nomination were presented as explained in the Explanatory Document above. It was requested that the Committee oppose the request to landmark the subject tree.

Committee Questions

Member Sustarich asked Ms. Dhillon if she had information as to when the tree was planted. Ms. Dhillon stated that a previous arborist had estimated that the tree was over 100 years ago.

Member Blair stated that Ms. Dhillon had the right to nominate the tree because the majority of the tree is in her backyard (the trunk) and referenced a book entitled "Neighbor Law."

Deputy City Attorney Cabrera advised that it was the Landmark Tree Committee's decision/interpretation whether the nomination was properly before the Committee and as to whether the tree should be jointly nominated because portions are in Mr. Gillies' property.

Chair Boss stated that because of lack of a legal precedent, this legal issue could not be settled at the Committee meeting at this time.

Mr. Gillies stated that the Planning Commission approved the project and that Mr. Bryant, Arborist, has been retained to consult with his architect/structural engineers to minimize the damage to the tree and still build the project.

Chair Boss asked what type of adaptations the design drawings contain to accommodate the preservation of the tree. Mr. Gillies stated that those were not available this early in the process. Member Boss stated that the issue before the Landmark Tree Committee was whether this tree is worthy of landmark status, and not whether the construction would effect the tree or not.

Deputy City Attorney Cabrera stated that the Committee did have to address the issue whether the nomination was properly before the Committee.

Public Comment

Mr. John Bryan, Certified and Registered Consulting Arborist stated that in his opinion the tree does not merit landmark status. Reasons given were the lack of growth, poor visual characteristics, accumulation of debris and dead wood, ivy/upper parts causing a home for insects, etc., poorly maintained, blocks light, and that it was not a rare tree.

Staff Rebuttal

Staff did not present comments at this time.

Property Owner Rebuttal

Ms. Dhillon indicated that the subject tree is a healthy redwood, and that the proposed construction would cause the destruction of the subject tree. It was stated that this situation is a matter of life and death for both her and the subject tree. Ms. Dhillon advised that the Zoning Administrator said that she should pay for half of the price of removal of the tree and that removing the tree from the property would be an additional expense, which she opposes. Ms. Dhillon again opposed the sharing of relevant documentation with the opposing party. An arborist statement was distributed in Committee meeting (PDF)
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/ArboristStatement.pdf

Deputy City Attorney Cabrera advised that all documents submitted to the Urban Forestry Council including evaluation forms are public records. Ms. Fish indicated that all documentation is posted on the Department's website and is sent to the San Francisco Public Library as part of Sunshine Ordinance requirements.

Ms. Dhillon stated that was against the law to share her ethnicity and religion with the public. Deputy City Attorney Cabrera advised that if that information is voluntarily placed on a public record, it is open to the public. Ms. Ma advised that she had not asked for Ms. Dhillon's ethnicity and religion, and Ms. Dhillon had voluntarily written the information on the nomination form.

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VOTE: (3-2 Not to Landmark)

Upon Motion by Member Blair and second by Member Habert, to approve landmarking the tree at 455 Chenery Street. The motion failed by the following vote: (AYES: Members Blair and Habert); (NOES: Members Boss, Griswold, and Sustarich). Chair Boss announced that the Landmark Tree Committee recommended against landmark status by a vote of 3-2.

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SPONSOR: Committee Member Mike Boss
SPEAKER: Monica Fish, Urban Forestry Council Secretary

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7. **DISCUSSION:** The Landmark Tree Committee discussed creation of an outreach brochure advocating landmarking of trees.

Council Secretary Fish advised that the Urban Forestry Council requested that creation of an outreach brochure be heard at a Landmark Tree Committee meeting. Member Blair stated that this item was at the request of Council Member Ora Sherk. Member Griswold stated that Council Member Cohen's article was a good introduction to the public. Chair Boss asked if there was a budget available to produce and distribute a brochure. Council Associate Ma advised that there is no funding available for Fiscal-Year 2006-07.

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Deputy City Attorney Cabrera stated that she would discuss the landmarking tree process and Board of Supervisors Rule 5.31 as requested by Member Blair at a future Council Meeting.

10. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

11. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:40 p.m.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Respectfully submitted by,

Monica Fish, Council Secretary

Adopted: December 12, 2006

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council

LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, December 12, 2006 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**
2. **ACTION**: Adoption of minutes of the November 14, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the November 14, 2006 Regular Meeting.)
3. **DISCUSSION and POSSIBLE ACTION:** The Committee will discuss trees spanning property lines and how it affects the nomination by a property owner. A recommendation may be made to the Urban Forestry Council for their approval.
4. **DISCUSSION:** The Landmark Tree Committee will discuss various outreach and celebratory methods to promote landmarking of trees.
   SPEAKERS: Members Blair and Griswold
5. **DISCUSSION**: New Business
6. **FUTURE AGENDA ITEMS**

7. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

8. **ADJOURNMENT**

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
4) Public comment (up to 3 min/per person)
5) Staff Rebuttal (3-5 min)
6) Property Owner Rebuttal (3-5 min)
7) Affected property owner rebuttal (3-5 min)
7) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Council is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179** or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: November 28, 2006

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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

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CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING

DRAFT MINUTES

Thursday, December 12, 2006, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:05 p.m. Present: Chair Boss, Members Blair, Habert (4:10 p.m.), and Sustarich. Excused: Member Griswold. Deputy City Attorney Alicia Cabrera was present.

2. **ACTION**: Adoption of minutes of the November 14, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon motion by Member Sustarich and second by Chair Boss, the November 14, 2006 Meeting Minutes were approved with no objection. (Absent: Members Habert and Griswold) (Explanatory Document: Approved Minutes of the November 14, 2006 Regular Meeting (HTML) http://sfgov.org/site/sfenvironment_page.asp?id=50450))

3. **DISCUSSION and POSSIBLE ACTION:** The Committee discussed trees spanning property lines and how it affects the nomination by a property owner.

Chair Boss advised that landmark tree nomination issues presented at the November Landmark Tree Committee meeting went beyond the legal scope of the Committee and requested that a recommendation be made as to how the Committee should proceed.

Member Sustarich asked what the legal ramifications are of the location of the tree roots, branches and trunk in determining proper tree nominations. Member Blair stated that she is not aware of any local or state laws pertaining to this issue and agreed with Neighbor Law that states, "the location of the majority of the trunk defines ownership."

Deputy City Attorney Cabrera stated that she researched ownership identification for tree trunks that span two property lines and advised that under California Law if a tree trunk spans two property lines, the two property owners would have co-ownership. It was stated that Mr. Frattin's argument was that the Landmark Tree Ordinance was ambiguous and because some of the branches, roots, and shoots were on the adjacent property owner's land, he had an interest and should have been included as a nominator for the nomination to be legal. It was stated that the Landmark Tree Ordinance Section 810(b) states, "The tree may be nominated for designation as a landmark tree by any of the following parties (i) the property owner whose property contains the subject tree by written request to the Urban Forestry Council." It was indicated that once a tree is landmarked, the roots are also protected.

Chair Boss recommended that the Committee could interpret Section 810(b) to read "the property owner**s** whose property **(ies)** contain(s) the tree." Member Blair stated that Neighbor Law indicates that the adjacent property owner would not have ownership of a tree unless they have paid money to care for and maintain the tree. Member Blair stated that according to state law and the referenced book, the neighbor has a right to trim the tree, but not a right to harm the tree. Chair Boss asked Deputy City Attorney Cabrera for a legal opinion as to whether care of a tree would determine ownership. Member Habert indicated that adjacent property owners who have branches or shoots on their property should have a voice but not be able to block the nomination. Member Blair advised that if the adjoining neighbor causes destruction of the tree, then the property owner would incur a huge debt to remove the tree.

Member Sustarich recommended that the legality of nominations be decided legally. Chair Boss stated that if this issue is left open, it could leave the Council open to future legal actions and jeopardize future landmark designations.

Urban Forestry Specialist Ma recommended that Department of Building Inspection staff attend a future meeting to share their experience as they frequently review permits at private properties.

Public Comment: Urban Forestry Council Chair Terry Milne stated that Mr. Frattin was using the City Administrative Code and Architectural Landmarks Ordinance as an analogy to making his argument instead of using an actual argument. It was recommended that the Urban Forestry Council not look beyond what the Landmark Tree Ordinance states.

Member Blair motioned to not make recommendations for amendments to the Landmark Tree Ordinance at this time; second by Member Habert. AYES: Members Blair and Habert; NOES: Members Boss and Sustarich. (Tie Vote) This Motion did not pass.

Public Comment: Ms. Fish spoke in support of recommending amendments to the Landmark Tree Ordinance to contain language on what defines a legal property owner nomination.

Chair Boss recommended that the Urban Forestry Council discuss what defines a legal property owner nomination at a future meeting. A request was made for Urban Forestry Specialist Ma to research whether other communities with Landmark Tree Ordinances have a precedent for dealing with this issue. Member Sustarich stated that he had read Arboriculture and the Law, which is vague and open to interpretation in terms of legal ownership.

Member Blair advised that Neighbor Law refers to California State Law and quotes actual cases. Deputy City Attorney Cabrera advised that it is a secondary source and you would have to go to the cases to attain the actual text. Chair Boss asked Member Blair to cite specific cases that were referred to from Neighbor Law. Member Blair advised that 25 other cities do not deal with this issue because they have protection for all trees with a 12 inch plus trunk diameter.

This item was continued to the January 9, 2007 Landmark Tree Committee Meeting. Member Blair asked Deputy City Attorney Cabrera to cite specific cases for the meeting. Deputy City Attorney Cabrera advised that cases can be cited, but it would still be a matter of interpretation.

4. **DISCUSSION:** The Landmark Tree Committee discussed various outreach and celebratory methods to promote landmarking of trees (Explanatory Document Distributed in Committee Meeting: (Word) Landmark Tree Outreach http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2006/GriswoldLandmarkTreeOutreach.doc.rtf.

SPEAKERS: Members Blair and Griswold

Member Blair reported that she had met with Members Cohen and Griswold to discuss outreach ideas. It was recommended that a brochure on landmarking trees be created using the salary savings from a decrease in Urban Forestry Staff. Urban Forestry Specialist Ma advised that there is no current funding available for a brochure and that budget funds allocated to personnel cannot be moved to creating publications. Member Blair stated that the Board of Supervisors' budget indicates that the Urban Forestry Council's budget increased by $11,000 and asked if any of these funds could be spent towards a brochure. Ms. Ma stated that those funds are allocated to salaries and overhead and cannot be redistributed to publications or other programs.

Member Blair discussed outreach methods that include (1) creating a letter for Urban Forestry Council approval asking each Board of Supervisor member to landmark a tree or trees in their district and for each Department Head to select a tree for landmarking and (2) Council Member Miller's recommendation to include an outreach statement in PG&E notices. Member Blair suggested that the Neighborhood Parks Council could reach out to all their neighborhood parks and that a letter be written to the Recreation and Park Department asking for their support to nominate trees in each neighborhood park, starting with the Monterey Cypress in front of McLaren Lodge in Golden Gate Park. Chair Boss recommended that it could be either one letter to all entities or more than one letter. A letter to the Superintendent of Schools asking if they would like to be involved in a school or community development process to have a school nominated tree was discussed. Member Habert advised that the San Francisco Unified School District, the Port of San Francisco, and the Redevelopment Agency are not under the jurisdiction of the City, and properties are owned by the state. Chair Boss stated that a Board of Supervisor member could nominate trees on state property.

Member Blair recommended that the letter sent to the Recreation and Park Department General Manager include support letters from the Neighborhood Parks Council and other environmental groups. It was also recommended that the Mayor proclaim that this be the Year of the Urban Forest 2007 and do a presentation to the Board of Supervisors. Urban Forestry Specialist Ma advised that the Mayor is hiring a new Director of City Greening possibly in January 2007 that can be worked with on this effort. Member Blair asked that outreach be completed in time for Earth Day or Arbor Day, which is approximately four months away.

The Committee agreed to request through the Council Chair that discussion and approval of the draft letter be placed on the January Urban Forestry Council's meeting agenda. Member Habert would draft a letter from the Urban Forestry Council to the Mayor to the Board of Supervisors to Department Heads. Member Blair suggested that another outreach method for recommending trees could be through arborists, Department of Public Works, and Friends of the Urban Forest. It was advised that Friends of the Urban Forest staff would be meeting to discuss this issue.

5. **DISCUSSION**: New Business. Member Blair asked for the disposition of trees that were potential landmark nominations but have not been nominated because of various reasons. Urban Forestry Specialist Ma advised that in some cases it was because of a lack of property owner interest. Chair Boss asked that there be increased compatibility between the Evaluation Form and landmark tree criteria and recommended adding checkboxes to how the tree would fit into the criteria. Chair Boss recommended exploring the possibility of having primary and secondary criteria and the importance of certain criteria over others and adding this item to a future agenda for discussion. Member Blair recommended that the Committee ask the Urban Forestry Council to request that the Treasure Island Development Authority document existing trees and include them in the new design. Ms. Fish, Council Secretary advised that the Council could prepare a Resolution recommending that the Treasure Island Development Authority do so. It was suggested that Member Blair work with the Council Chair on this effort.

6. **FUTURE AGENDA ITEMS.** Urban Forestry Specialist Ma advised that the Department of Public Works has nominated a coast live oak at 22-26 Rosemont and would be before the Landmark Tree Committee on January 9.

7. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. Urban

Forestry Specialist Ma stated that she would be on leave from December 31 – January 9 and will not be attending the Landmark Tree Committee meeting on January 9. Ms. Anne Eng, Environmental Justice Program Manager will be attending the meeting. Ms. Ma indicated that her evaluation form will be prepared before the meeting, but a staff analysis would not be available. Member Sustarich announced that Council Member Costello would be presenting the Tree Pruning Standards on December 13 at the County Fair Building at Golden Gate Park from 9:00 a.m. – 11:00 a.m. Member Blair requested that future meeting dates and times be added to agendas.

8. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 5:22 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, January 9, 2007 at 4:00 p.m. in Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

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Adopted:

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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
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CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT

URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

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REGULAR MEETING

APPROVED MINUTES

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Thursday, December 12, 2006, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

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Respectfully submitted by,

Monica Fish
Council Secretary

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Respectfully submitted by,

Monica Fish, Council Secretary

Adopted: January 9, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council
LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, January 9, 2007 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

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PUBLIC LIBRARY

Urban Forestry Specialist: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of minutes of the December 12, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the December 12, 2006 Regular Meeting.)

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following address meets the criteria for designation as landmark trees:

   Coast Live Oak (Quercus agrifolia) at 22-26 Rosemont Place

   At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark Tree Nomination Form, pictures, parcel map, explanatory documents)

4. **DISCUSSION and POSSIBLE ACTION:** The Committee will discuss trees spanning property lines and how it affects the nomination by a property owner. A recommendation may be made to the Urban Forestry Council for their approval (Continued from the December 12, 2006 Meeting).

5. **DISCUSSION:** The Committee will explore landmark tree criteria importance.

6. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Plan (Continued from the December 12, 2006 Meeting).

   SPEAKERS: Members Blair and Habert

7. **DISCUSSION**: New Business

8. **FUTURE AGENDA ITEMS**

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

10. **ADJOURNMENT**

The next Landmark Tree Committee meeting will be held on Tuesday, February 13, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Council is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179** (by following the links by each agenda item) or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: December 26, 2006

SF Environment
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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

MEETING DATE: January 9, 2007 **ITEM NO. 3**

URBAN FORESTRY COUNCIL
Landmark Tree Committee
AGENDA PACKET CONTENTS LIST*

☒ Nomination Form

☒ Pictures, Parcel Map

☒ Staff's Evaluation Form

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*This list reflects the explanatory documents provided.

Landmark Tree Nomination Form

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:	Authorized nominator (if not owner):
Name Dianne Morris	Name Dr. Fred Abadi
Address 4789 Hillsborough Dr.	Address Department of Public Works 1 Dr. Carlton B. Goodlett Place City Hall, Room 348
Address Petaluma, CA 94954	Address San Francisco, CA 94102
Phone (day) (415) 990-7092	Phone (day) (415) 554-6920
Fax #	Fax # (415)554-6944
Email	

Fred Abadi Signature (Property owner or authorized nominator)
12-7-06 Date

TREE DESCRIPTION

Street address: 22-26 Rosemont Pl., San Francisco, CA 94103

Location of Tree: ☐ Front yard ☒ Rear yard ☐ Side yard ☐ Corner-side yard
☐ Public right-of-way ☐ Other:

Tree name (species and common name): *Quercus agrifolia* (Coast Live Oak)

Height 70 ft
Average canopy width* 120 ft
Circumference** 144 in

*Distance from one edge to opposite edge of tree canopy
**Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species
☒ Rare

Size or Age
☒ Significant size or age for species

Cultural/Historical Value

RECEIVED
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☐ Significant historical or cultural association
☐ Significant ethnic appreciation

(over, please)

Cultural/Historical Value (continued)
☒ Neighborhood appreciation of tree
☐ Part of planting that defines neighborhood character

Key Location
☐ High traffic area
☐ Low tree density area
☒ Extends between several properties
☐ Visually accessible from public right-of-way

Ecology
☐ Important wildlife habitat
☐ Part of interdependent group of trees
☐ Erosion control
☐ Wind or sound barrier

Visual characteristic
☒ Prominent landscape feature
☐ Character defining form

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event.

May pre-date settlement and likely survived the 1906 Earthquake.

Describe how/why the tree has cultural, social and/or historical importance.

Describe how/why the tree is an important or defining feature of a neighborhood.

The tree is quite large and in good health, the canopy can be seen from neighboring buildings and even from Dolores St. above the buildings.

Describe how/why the tree has ecological value like wildlife habitat and erosion control.

Describe any tree health or structural issues.

A photograph of the tree must be submitted with this form.

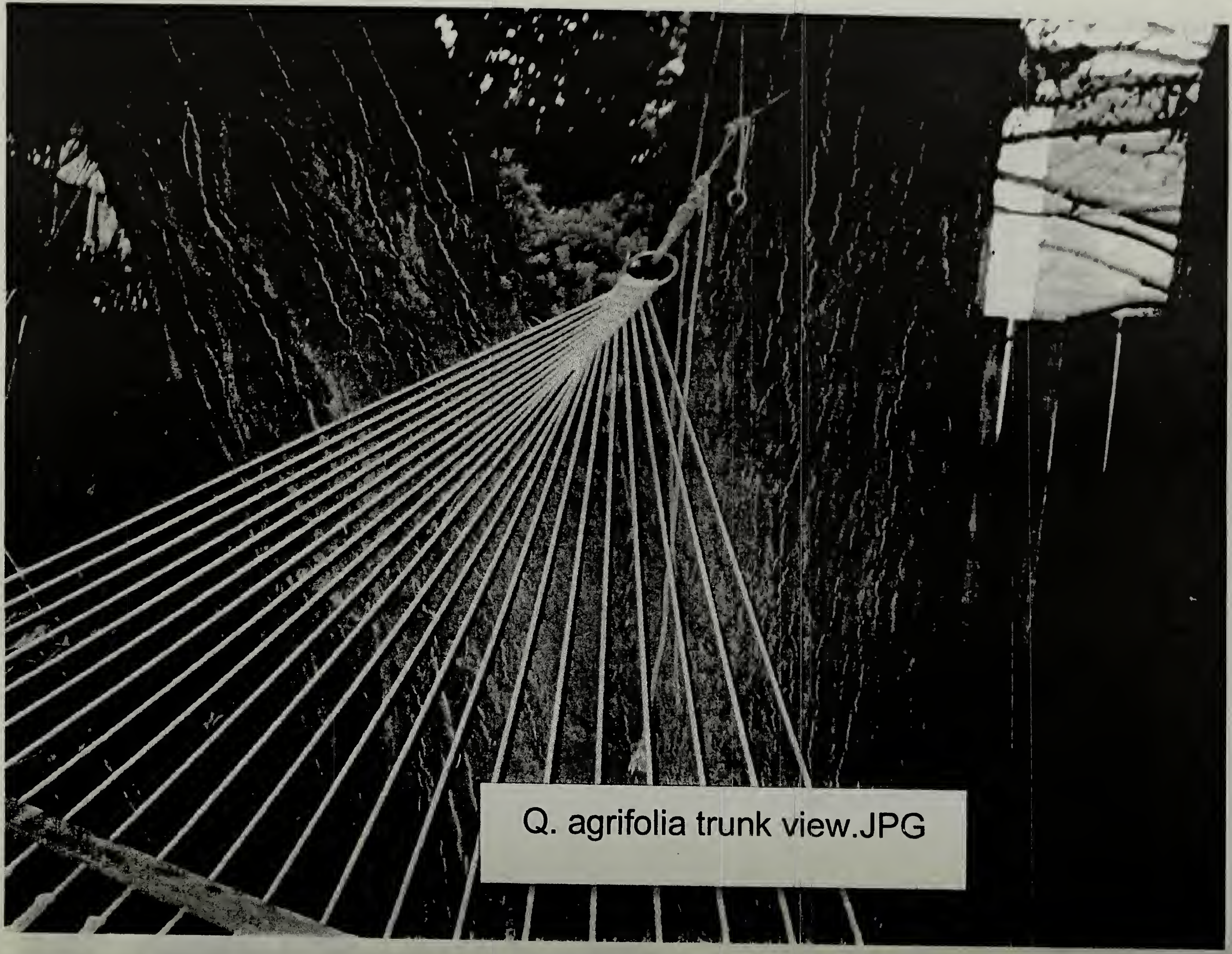
Please attach optional supporting documents such as letters, arborist report, etc.

Send to: Urban Forest Council, c/o Alexis Harte, 11 Grove Street, San Francisco, CA 94102
OR SFUrbanForestCouncil@sfgov.org

FOR STAFF USE ONLY

Application received date	______	Received by	______
Tree evaluation form	______	UFC recommendation date	______
Board of Supervisors Decision	______	☐ Yes ☐ No	
Landmark Tree #	______	Owner signed form	______
Title recorded date	______		

Q. agrifolia canopy view1.JPG



Q. agrifolia trunk view.JPG

Q.agrifolia canopy 2.JPG

Q.agrifolia 1.JPG

Landmark Tree Evaluation Form

Evaluator: Grace Ma

Scientific name: *Quercus agrifolia* Common name: coast live oak

Street address: 20-26 Rosemont Place

Cross streets: 14th and Valencia

Block: 3534 Lot(s): 022

GPS units (optional): ______

☒ Private ☐ Public Agency name Dept of Public Works nominated

Property owner consent to evaluate ☒ Yes ☐ No

DBH (in): combined 44; forward trunk 27, back trunk 25
Height (ft): 35
Average canopy spread (ft): 30
Trunk diameter at ground level (in) 37
Number of trees 1

Tree Condition (adapted from CTLA *Guide to Plant Appraisal*)
☒ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

Root issues
- ☐ Root anchorage: no apparent problems
- ☐ Collar/flare soundness: no apparent problems
- ☐ Mechanical injury: maybe from patio installation in 1970s
- ☐ Girdling/kinked roots: none visible
- ☐ Compaction/waterlogged roots: no
- ☐ Mushrooms (may have to ask owner): no

Trunk issues
- ☒ Sound bark and wood
- ☐ Cavities: no
- ☐ Mechanical or fire injury: no
- ☐ Cracks: no
- ☐ Swollen or sunken areas: no
- ☐ Conks: no

Scaffold branches
- ☒ Strong attachments
- ☒ Smaller diameter than trunk where attached
- ☐ Vertical branch distribution: well distributed
- ☐ Free of included bark: little included bark at trunk where two main stems meet
- ☒ Free of decay and cavities
- ☐ Well pruned: few stubs on scaffold branches
- ☒ Well-proportioned/proper taper
- ☐ Wound closure: okay except stubs
- ☐ Deadwood or fire injury: some dead small branches in canopy interior

Small branches and twigs
- ☐ Vigor of current shoots (compare previous growth): new growth at branch tips
- ☒ Well distributed throughout canopy
- ☐ Appearance of buds (color, shape, size for species)
- ☒ Presence of weak or dead twigs

Foliage and/or Buds
- ☐ Coloration of foliage: medium green
- ☐ Nutrient status
- ☐ Herbicide, chemical or pollution injury: none visible
- ☐ Wilted or dead leaves:
- ☐ Dry buds

☐ Presence of insects or disease (any part of tree): none visible

Comments on health or structure: Tree appears vigorous and in good health.

Species
- ☐ Rare

Size or Age
- ☒ Greater than typical mature size or age for San Francisco

Cultural/Historical Value
- ☐ Significant historical or cultural association: tree
- ☐ Significant ethnic appreciation
- ☐ Neighborhood appreciation of tree
- ☐ Part of planting that defines neighborhood character
- ☐ Profiled in a publication or other media

Key Location
- ☐ High traffic area
- ☒ Low tree density area
- ☒ Extends between several properties: seven properties have view of tree and garden
- ☐ Visually accessible from public right-of-way: I saw top of tree from Dolores but you cannot see from adjacent residential streets.

Ecology
- ☒ Important wildlife habitat: raccoons, scrub jays, hummingbirds, crows, doves, and juncos
- ☐ Part of interdependent group of trees
- ☐ Erosion control
- ☒ Wind or sound barrier: brick wall probably provides more of a barrier

Visual characteristic
- ☐ Prominent landscape feature
- ☐ Character defining form

Additional comments
The oak's canopy has formed a cohort relationship with adjacent trees (palm, deodar cedar, and Monterey pine).

Possible considerations for tree care
If neighbor removes Monterey pine trees, ensure the oak tree branches are not damaged.

Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

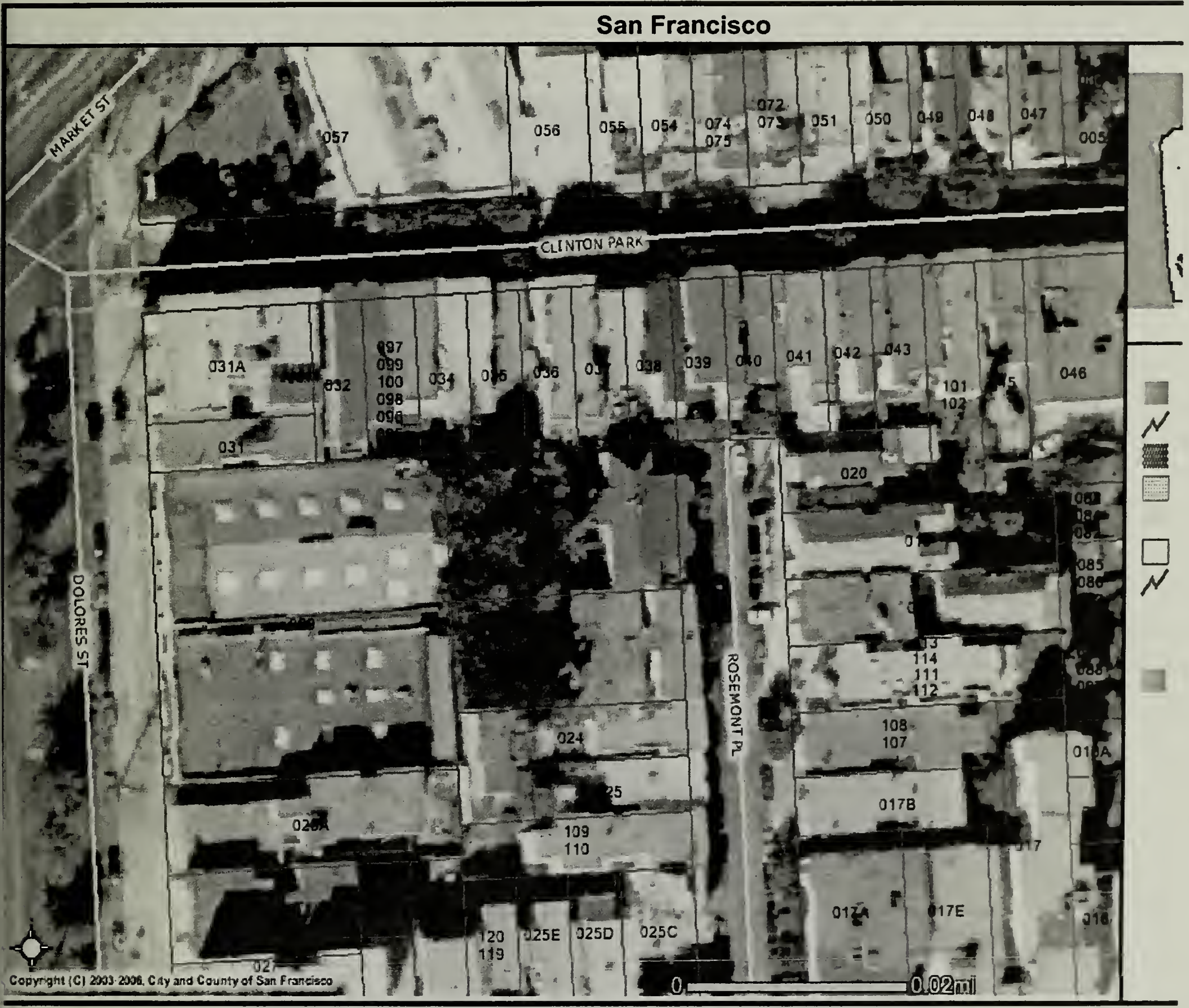
Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.


San Francisco
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DOLORES ST
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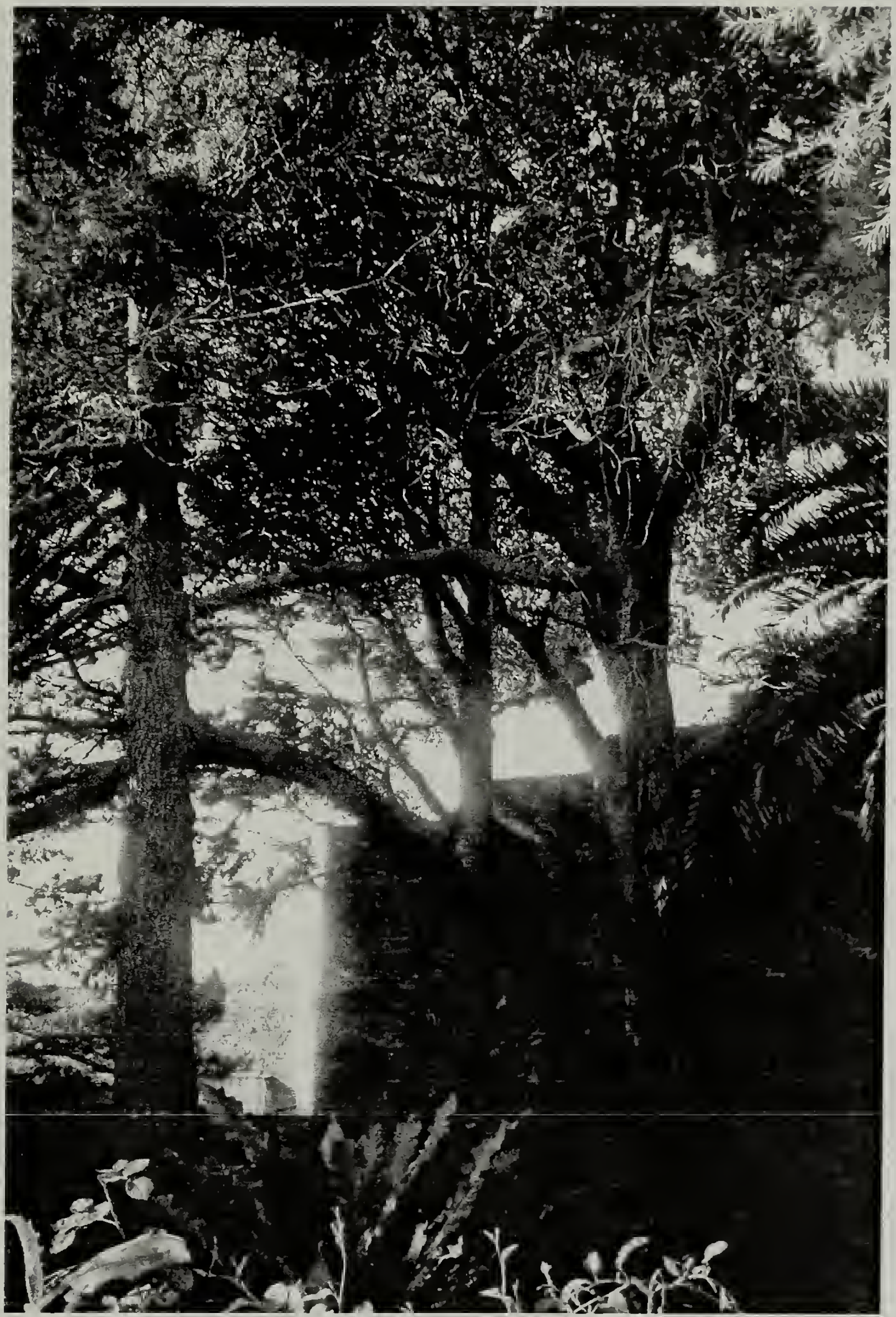
20-26 Rosemont Place



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CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING

DRAFT MINUTES

Tuesday, January 9, 2007, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:01 p.m. Present: Chair Boss, Members Blair, Griswold, Habert (4:10 p.m.), and Sustarich. Deputy City Attorney Alicia Cabrera was present.

2. **ACTION**: Adoption of minutes of the December 12, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon motion by Member Sustarich and second by Member Griswold, the December 12, 2006 Meeting Minutes were approved with no objection. (Absent: Member Habert) (Explanatory Document: Approved Minutes of the December 12, 2006 Regular Meeting (HTML) http://sfgov.org/site/sfenvironment_page.asp?id=51683))

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee held a hearing to determine whether the tree nominated at the following address meets the criteria for designation as landmark trees:

Coast Live Oak (Quercus agrifolia) at 22-26 Rosemont Place

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

At the conclusion of the hearing, the Landmark Tree Committee voted on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark Tree Nomination Form (PDF) http://sfgov.org/site/uploadedfiles/DPWcoastliveoak22Rosemont.pdf, pictures, parcel map, (PDF) http://web1.sfgov.org/site/uploadedfiles/picturesparcelmap(1).PDF, evaluation form (Word) http://sfgov.org/site/uploadedfiles/GMaevaluationform.doc).

Members Sustarich, Blair and Habert viewed the subject tree and presented their observations. It was stated that Staff's and the Department of Public Work's evaluation forms differed in reference to height and canopy width. Chair Boss stated that Committee members received only one-day notice in order to view the tree and requested additional notice in the future. Member Blair expressed her concern that a private citizen would not have enough knowledge to fill out the landmark tree evaluation form. Member Habert stated that landmarking the tree may cause an abridgement of property rights of the property owner behind the site and expressed concern that landmark trees could be used as part of a development war. It was advised that there is a petition before the Planning Commission for approval to build condominium units at the site.

Member Griswold asked if the Committee should be addressing political issues such as possible developments and neighbor boundaries. Chair Boss advised that the Committee's task is to determine whether the tree fits the criteria set forth by the Urban Forestry Council pursuant to the Landmark Tree Ordinance and stated that a process discussion is an important topic that should be addressed under a separate agenda item.

Committee Members summarized landmark tree evaluation criteria for the subject tree as follows: the tree is a notably large and old native tree providing wildlife habitat in an interdependent group of trees, having a character defining form for its species, and in excellent condition.

Upon Motion by Member Sustarich and second by Chair Boss, the nominated tree at 22-26 Rosemont Place was recommended for landmark status to the Urban Forestry Council. (AYES: Member Sustarich, Chair Boss and Member Habert. NOES: Members Blair and Griswold.)

Chair Boss requested that (1) Committee members who saw the tree fill out and submit an evaluation form to the Council Secretary or Urban Forestry Specialist who would forward the forms to the Chair in order to prepare a written summary; and (2) asked that the Urban Forestry Council be given an opportunity to view the tree with adequate advance notice.

4. **DISCUSSION and POSSIBLE ACTION:** The Committee discussed trees spanning property lines and how it affects the nomination by a property owner. (Continued from the December 12, 2006 Meeting).

Chair Boss discussed the controversy surrounding the Chenery Street landmark tree nomination where the trunk was almost entirely on one property but the roots and canopy extended to another property. It was stated that the Committee did not pass a Motion and was neutral on requiring multiple property owners collectively to be part of the nomination process. Chair Boss explained that it was important for the Landmark Tree Committee to discuss whether trees are landmarkable or not and not to be the referendum for property disputes. It was advised that Department Head or Board of Supervisors nominations would be valid if the nominated tree spanned multiple property lines.

Member Griswold asked whether the landmark process obligates the Committee to inform adjacent property owners that a neighbor's tree has been nominated. Deputy City Attorney Cabrera advised that there is no Ordinance requirement at this time. Member Habert stated that it was important to receive information on outstanding development permits at the nominated site. Member Griswold recommended that the Committee consider a tree based on the evaluation criteria and not on political issues or disputes surrounding the nomination, and that the Board of Supervisors resolves the political controversy. Member Blair recommended not allowing legal testimony at the Committee level. Deputy City Attorney Cabrera advised that public comment is legally required.

Deputy City Attorney Cabrera presented (1) California Statutes Sections 833 on "TREES; trunks upon land of one owner; ownership and Section 834 Line Trees; common ownership," (2) Neighbor Law on "Ownership," and (3) two relevant cases (Explanatory Document: (PDF) http://web1.sfgov.org/site/uploadedfiles/TreeStatutesCases.pdf). It was advised that California law defines the tree trunk as determining ownership. Deputy City Attorney Cabrera stated that the Landmark Tree Ordinance reads "the property owner that contains the subject tree" as being the legal nominator and does not further define requirements for nomination. The Ordinance does not include a reference to the tree trunk. Deputy City Attorney Cabrera stated that whether the tree has been legally nominated is left up to Committee interpretation. Member Blair stated that requiring all property owners to approve a landmark tree nomination would present too many barriers.

Member Sustarich asked if the Council's determination could be challenged in court. Deputy City Attorney Cabrera stated that it is a matter of interpretation, and the challenge would be against the Ordinance.

No action was taken on this item.

Item 8 was heard before Item 5.

5. **DISCUSSION:** The Committee explored landmark tree criteria importance.

Chair Boss stated that a revised draft format of the landmark tree evaluation form would be presented at the next Committee meeting. The objective would be that the evaluation form would mirror the established criteria. It was stated that the evaluation form currently contains items that the Committee members may not be qualified to evaluate.

Member Blair recommended including rare criteria as the determination of the number of species of its kind and its diversity in San Francisco.

This item was continued to the February 13, 2007 Committee meeting as a Discussion and Possible Action Item to approve the amended Landmark Tree Evaluation Form. Deputy City Attorney Cabrera would report at the next meeting whether the full Council would be required to approve the evaluation form before the new version can be adopted.

6. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Plan (Continued from the December 12, 2006 Meeting).

SPEAKERS: Members Blair and Habert

Member Habert stated that he had drafted a letter to San Francisco citizens and Departments that own property to convey the Council's enthusiasm about landmarking trees, to initiate property owner's interest, and a walk-through of the process. The letter contains information on who can place a tree nomination and how, what happens when a tree nomination is placed, what happens when a tree is nominated and accepted, and then in closing what a great idea it is and the Council wants you to do it. Member Habert recommended that the evaluation criteria once finalized should be appended to the letter. A letter would also be addressed to the Board of Supervisors requesting that each Supervisor nominate a tree in their district.

Members Blair and Sustarich discussed the idea of citizens receiving public outreach through PG&E or water bill mailings and Members Habert and Chair Boss agreed that this type of effort may initiate more nominations than the Committee can handle.

Member Habert asked whether private citizens can initiate the nomination of buildings to be on the national or local register of historic buildings. Deputy City Attorney Cabrera advised that nominations would have to be heard by the Landmarks Preservation Advisory Board and stated that she would report back whether private citizens can initiate nominations. Member Habert suggested that the Landmark Tree process mirror the Landmark Building process.

Member Blair urged the Department of the Environment to launch the Landmark Tree website and suggested that it be done right away as part of the public outreach plan.

Member Habert agreed to email the Council Secretary the draft letter to include as part of the next Committee meeting packet. This item was continued to the February 13, 2007 meeting.

7. **DISCUSSION**: New Business

Ms. Fish, Council Secretary, stated that at a previous meeting, Chair Boss requested that the Landmark Tree Committee process be heard at a future Council meeting and asked whether it should be placed on the next Council agenda. Chair Boss indicated that it would not be necessary to add this item to the Council agenda at this time.

Chair Boss asked how the Committee members would know when the Board of Supervisors hears a landmark tree so comments could be provided. Deputy City Attorney Cabrera stated that the only way was to check "Legislation Introduced" on the website or to call the Board office directly. It was advised that Ms. Grace Ma, Urban Forestry Specialist had in the past inquired as to when a tree would be introduced in order to coordinate an effort for staff or someone from Urban Forestry to speak on behalf of a particular tree.

Member Blair recommended that an amendment be made to the Landmark Tree Ordinance requiring that the Urban Forestry Council be made aware of all potential landmark tree nominations that are introduced at the Board of Supervisors. Deputy City Attorney Cabrera advised that once the Board of Supervisors introduces a tree nomination, the 180-day protection of the tree starts. However, the Urban Forestry Council does not have jurisdiction to hear the tree until the full Board has voted to nominate the tree. Deputy City Attorney Cabrera indicated that the Board of Supervisors is not prohibited from landmarking a tree once the 180-day protection status expires.

Member Blair asked Deputy City Attorney Cabrera to explain the landmark tree introduction of nominations process. Deputy City Attorney Cabrera stated that it depends what the sponsor of the nomination decides to do. A Motion can be made to send the introduced legislation to the full Board to sit as a Committee of the Whole or a Motion can be made for it to be heard by a Board Committee. The Board President can put a 30-day restriction on the item. If there is no 30-day restriction and it goes to Committee, it can be decided in Committee or potentially four or more supervisors can call the measure back to the Board of Supervisors so they can hear it or it can stay in Committee for up to six months. The "Legislation Introduced" indicates the disposition of the item, whether it was referred to Committee or if there is a restriction that it needs to stay in Committee for 30 days.

A request was made to add this item to the Urban Forestry Council agenda as a "Discussion of the 180-day Process as it Relates to the Valley Oak Tree on 25th Street."

8. **FUTURE AGENDA ITEMS.** (1) Tree replacement discussion (Sponsor: Member Habert), (2) Revised evaluation form on landmark tree criteria (Sponsor: Chair Boss). Member Blair requested that the 180-day landmark tree protection date be discussed so a process is established that everyone is kept apprised of time requirements. Chair Boss recommended that this issue be considered at the next full Council meeting. Deputy City Attorney Cabrera advised that Member Blair could present her recommendations independently to Supervisor McGoldrick and/or through the full Council.

   Public Comment: Council Chair Milne asked the Deputy City Attorney whether there was additional information on potential amendments to the Landmark Tree Ordinance that is being drafted so the Council can discuss and provide input at their next Council meeting. Deputy City Attorney Cabrera stated that Deputy City Attorney John Malamut is charged with drafting the Ordinance on behalf of Supervisor McGoldrick's office and would report back with further information. Chair Milne presented a copy of a newspaper article on Commission attendance that the Council adopted a policy on at a previous meeting.

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

   Mr. Kenneth Gwin, neighbor of the 25th Street Valley Oak, discussed the failure of the landmark tree process in the case of the valley oak tree on 25th Street that was cut down after the 180-day protection status expired. It was stated that property owners, tenants, and neighbors have certain rights and that the Committee will continue to hear landmark tree disputes as a result of conflicting viewpoints. Mr. Gwin recommended that the Committee focus on whether the tree is worthy of being a landmark and not be involved in disputes.

10. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:17 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, February 13, 2007 at 4:00 p.m. in Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org.**

Adopted:

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

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approved

REGULAR MEETING
APPROVED MINUTES

Tuesday, January 9, 2007, 4:00 P.M.

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City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:01 p.m. Present: Chair Boss, Members Blair, Griswold, Habert (4:10 p.m.), and Sustarich. Deputy City Attorney Alicia Cabrera was present.

2. **ACTION**: Adoption of minutes of the December 12, 2006 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon motion by Member Sustarich and second by Member Griswold, the December 12, 2006 Meeting Minutes were approved with no objection. (Absent: Member Habert) (Explanatory Document: Approved Minutes of the December 12, 2006 Regular Meeting (HTML) http://sfgov.org/site/sfenvironment_page.asp?id=51683))

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee held a hearing to determine whether the tree nominated at the following address meets the criteria for designation as landmark trees:

Coast Live Oak (Quercus agrifolia) at 22-26 Rosemont Place

At the conclusion of the hearing, the Landmark Tree Committee voted on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark Tree Nomination Form (PDF) http://sfgov.org/site/uploadedfiles/DPWcoastliveoak22Rosemont.pdf, pictures, parcel map, (PDF) http://web1.sfgov.org/site/uploadedfiles/picturesparcelmap(1).PDF, evaluation form (Word) http://sfgov.org/site/uploadedfiles/GMaevaluationform.doc).

Members Sustarich, Blair and Habert viewed the subject tree and presented their observations. It was stated that Staff's and the Department of Public Work's evaluation forms differed in reference to height and canopy width. Chair Boss stated that Committee members received only one-day notice in order to view the tree and requested additional notice in the future. Member Blair expressed her concern that a private citizen would not have enough knowledge to fill out the landmark tree evaluation form. Member Habert stated that landmarking the tree may cause an abridgement of property rights of the property owner behind the site and expressed concern that landmark trees could be used as part of a development war. It was advised that there is a petition before the Planning Commission for approval to build condominium units at the site.

Member Griswold asked if the Committee should be addressing political issues such as possible developments and neighbor boundaries. Chair Boss advised that the Committee's task is to determine whether the tree fits the criteria set forth by the Urban Forestry Council pursuant to the Landmark Tree Ordinance and stated that a process discussion is an important topic that should be addressed under a separate agenda item.

Committee Members summarized landmark tree evaluation criteria for the subject tree as follows: the tree is a notably large and old native tree providing wildlife habitat in an interdependent group of trees, having a character defining form for its species, and in excellent condition.

Upon Motion by Member Sustarich and second by Chair Boss, the nominated tree at 22-26 Rosemont Place was recommended for landmark status to the Urban Forestry Council. (AYES: Member Sustarich, Chair Boss and Member Habert. NOES: Members Blair and Griswold.)

Chair Boss requested that (1) Committee members who saw the tree fill out and submit an evaluation form to the Council Secretary or Urban Forestry Specialist who would forward the forms to the Chair in order to prepare a written summary; and (2) asked that the Urban Forestry Council be given an opportunity to view the tree with adequate advance notice.

4. **DISCUSSION and POSSIBLE ACTION:** The Committee discussed trees spanning property lines and how it affects the nomination by a property owner. (Continued from the December 12, 2006 Meeting).

Chair Boss discussed the controversy surrounding the Chenery Street landmark tree nomination where the trunk was almost entirely on one property but the roots and canopy extended to another property. It was stated that the Committee did not pass a Motion and was neutral on requiring multiple property owners collectively to be part of the nomination process. Chair Boss explained that it was important for the Landmark Tree Committee to discuss whether trees are landmarkable or not and not to be the referendum for property disputes. It was advised that Department Head or Board of Supervisors nominations would be valid if the nominated tree spanned multiple property lines.

Member Griswold asked whether the landmark process obligates the Committee to inform adjacent property owners that a neighbor's tree has been nominated. Deputy City Attorney Cabrera advised that there is no Ordinance requirement at this time. Member Habert stated that it was important to receive information on outstanding development permits at the nominated site. Member Griswold recommended that the Committee consider a tree based on the evaluation criteria and not on political issues or disputes surrounding the nomination, and that the Board of Supervisors resolves the political controversy. Member Blair recommended not allowing legal testimony at the Committee level. Deputy City Attorney Cabrera advised that public comment is legally required.

Deputy City Attorney Cabrera presented (1) California Statutes Sections 833 on "TREES; trunks upon land of one owner; ownership and Section 834 Line Trees; common ownership," (2) Neighbor Law on "Ownership," and (3) two relevant cases (Explanatory Document: (PDF) http://web1.sfgov.org/site/uploadedfiles/TreeStatutesCases.pdf). It was advised that California law defines the tree trunk as determining ownership. Deputy City Attorney Cabrera stated that the Landmark Tree Ordinance reads "the property owner that contains the subject tree" as being the legal nominator and does not further define requirements for nomination. The Ordinance does not include a reference to the tree trunk. Deputy City Attorney Cabrera stated that whether the tree has been legally nominated is left up to Committee interpretation. Member Blair stated that requiring all property owners to approve a landmark tree nomination would present too many barriers.

Member Sustarich asked if the Council's determination could be challenged in court. Deputy City Attorney Cabrera stated that it is a matter of interpretation, and the challenge would be against the Ordinance.

No action was taken on this item.

Item 8 was heard before Item 5.

5. **DISCUSSION:** The Committee explored landmark tree criteria importance.

Chair Boss stated that a revised draft format of the landmark tree evaluation form would be presented at the next Committee meeting. The objective would be that the evaluation form would mirror the established criteria. It was stated that the evaluation form currently contains items that the Committee members may not be qualified to evaluate.

Member Blair recommended including rare criteria as the determination of the number of species of its kind and its diversity in San Francisco.

This item was continued to the February 13, 2007 Committee meeting as a Discussion and Possible Action Item to approve the amended Landmark Tree Evaluation Form. Deputy City Attorney Cabrera would report at the next meeting whether the full Council would be required to approve the evaluation form before the new version can be adopted.

6. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Plan (Continued from the December 12, 2006 Meeting).

SPEAKERS: Members Blair and Habert

Member Habert stated that he had drafted a letter to San Francisco citizens and Departments that own property to convey the Council's enthusiasm about landmarking trees, to initiate property owner's interest, and a walk-through of the process. The letter contains information on who can place a tree nomination and how, what happens when a tree nomination is placed, what happens when a tree is nominated and accepted, and then in closing what a great idea it is and the Council wants you to do it. Member Habert recommended that the evaluation criteria once finalized should be appended to the letter. A letter would also be addressed to the Board of Supervisors requesting that each Supervisor nominate a tree in their district.

Members Blair and Sustarich discussed the idea of citizens receiving public outreach through PG&E or water bill mailings and Members Habert and Chair Boss agreed that this type of effort may initiate more nominations than the Committee can handle.

Member Habert asked whether private citizens can initiate the nomination of buildings to be on the national or local register of historic buildings. Deputy City Attorney Cabrera advised that nominations would have to be heard by the Landmarks Preservation Advisory Board and stated that she would report back whether private citizens can initiate nominations. Member Habert suggested that the Landmark Tree process mirror the Landmark Building process.

Member Blair urged the Department of the Environment to launch the Landmark Tree website and suggested that it be done right away as part of the public outreach plan.

Member Habert agreed to email the Council Secretary the draft letter to include as part of the next Committee meeting packet. This item was continued to the February 13, 2007 meeting.

7. **DISCUSSION**: New Business

Ms. Fish, Council Secretary, stated that at a previous meeting, Chair Boss requested that the Landmark Tree Committee process be heard at a future Council meeting and asked whether it should be placed on the next Council agenda. Chair Boss indicated that it would not be necessary to add this item to the Council agenda at this time.

Chair Boss asked how the Committee members would know when the Board of Supervisors hears a landmark tree so comments could be provided. Deputy City Attorney Cabrera stated that the only way was to check "Legislation Introduced" on the website or to call the Board office directly. It was advised that Ms. Grace Ma, Urban Forestry Specialist had in the past inquired as to when a tree would be introduced in order to coordinate an effort for staff or someone from Urban Forestry to speak on behalf of a particular tree.

Member Blair recommended that an amendment be made to the Landmark Tree Ordinance requiring that the Urban Forestry Council be made aware of all potential landmark tree nominations that are introduced at the Board of Supervisors. Deputy City Attorney Cabrera advised that once the Board of Supervisors introduces a tree nomination, the 180-day protection of the tree starts. However, the Urban Forestry Council does not have jurisdiction to hear the tree until the full Board has voted to nominate the tree. Deputy City Attorney Cabrera indicated that the Board of Supervisors is not prohibited from landmarking a tree once the 180-day protection status expires.

Member Blair asked Deputy City Attorney Cabrera to explain the landmark tree introduction of nominations process. Deputy City Attorney Cabrera stated that it depends what the sponsor of the nomination decides to do. A Motion can be made to send the introduced legislation to the full Board to sit as a Committee of the Whole or a Motion can be made for it to be heard by a Board Committee. The Board President can put a 30-day restriction on the item. If there is no 30-day restriction and it goes to Committee, it can be decided in Committee or potentially four or more supervisors can call the measure back to the Board of Supervisors so they can hear it or it can stay in Committee for up to six months. The "Legislation Introduced" indicates the disposition of the item, whether it was referred to Committee or if there is a restriction that it needs to stay in Committee for 30 days.

A request was made to add this item to the Urban Forestry Council agenda as a "Discussion of the 180-day Process as it Relates to the Valley Oak Tree on 25th Street."

8. **FUTURE AGENDA ITEMS.** (1) Tree replacement discussion (Sponsor: Member Habert), (2) Revised evaluation form on landmark tree criteria (Sponsor: Chair Boss). Member Blair requested that the 180-day landmark tree protection date be discussed so a process is established that everyone is kept apprised of time requirements. Chair Boss recommended that this issue be considered at the next full Council meeting. Deputy City Attorney Cabrera advised that Member Blair could present her recommendations independently to Supervisor McGoldrick and/or through the full Council.

   Public Comment: Council Chair Milne asked the Deputy City Attorney whether there was additional information on potential amendments to the Landmark Tree Ordinance that is being drafted so the Council can discuss and provide input at their next Council meeting. Deputy City Attorney Cabrera stated that Deputy City Attorney John Malamut is charged with drafting the Ordinance on behalf of Supervisor McGoldrick's office and would report back with further information. Chair Milne presented a copy of a newspaper article on Commission attendance that the Council adopted a policy on at a previous meeting.

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

   Mr. Kenneth Gwin, neighbor of the 25th Street Valley Oak, discussed the failure of the landmark tree process in the case of the valley oak tree on 25th Street that was cut down after the 180-day protection status expired. It was stated that property owners, tenants, and neighbors have certain rights and that the Committee will continue to hear landmark tree disputes as a result of conflicting viewpoints. Mr. Gwin recommended that the Committee focus on whether the tree is worthy of being a landmark and not be involved in disputes.

10. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:17 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, February 13, 2007 at 4:00 p.m. in Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Adopted: February 13, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council
LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, February 13, 2007 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Specialist: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of minutes of the January 9, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the January 9, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=53471.)

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee will hold a hearing to determine whether the trees nominated at the following addresses meet the criteria for designation as landmark trees:

   holly (*Ilex altaclarensis*) at 733 27th Avenue (Explanatory Document: Board of Supervisors Resolution of Intent to Nominate (PDF) http://sfgov.org/site/uploadedfiles/BOSresolution_0012-07.pdf), Nomination Form (Word) http://sfgov.org/site/uploadedfiles/Nomination_holly_73327thave.doc, Support Documentation (PDF) http://sfgov.org/site/uploadedfiles/Supportdocs_holly_73327thAve.PDF and Staff Evaluation Form http://sfgov.org/site/uploadedfiles/EvaluationhollyGMa.doc.

   California buckeye (*Aesculus californica*) at 730 28th Avenue (Explanatory Document: Board of Supervisors Resolution of Intent to Nominate (PDF) http://sfgov.org/site/uploadedfiles/BOSresolution_0013-07.pdf), Nomination Form http://sfgov.org/site/uploadedfiles/Nomination_CAbuckeye_73028thAve.doc, Support Documentation (PDF) http://sfgov.org/site/uploadedfiles/SupportdocsCAbuckeye73028thAve.PDF.

New Zealand Christmas Tree (Metrosideros excelsus) in front of 1221 Stanyan Street (Department of the Environment Nomination Form (PDF) http://sfgov.org/site/uploadedfiles/SFENomnztree1221Stanyan.pdf) and Photo (PDF) http://sfgov.org/site/uploadedfiles/1221StanyanPhoto.pdf.

At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. (Explanatory Documents: Landmark tree nomination form, pictures, parcel map, letters)

4. **DISCUSSION and POSSIBLE ACTION:** The Committee will consider and may vote on a revised evaluation form for trees that have been nominated for landmark status. (Explanatory Document: Evaluation form Jan07 (Word) http://sfgov.org/site/uploadedfiles/MBevaluationformJan07.doc.)

5. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Plan for Landmarking of Trees (Continued from the January 9, 2007 Meeting). Committee Members will review and possibly vote to approve for recommendation to the Urban Forestry Council an outreach letter addressed to the Board of Supervisors, the community, and Department Heads. (Explanatory Document: Draft Outreach Letter)

6. **DISCUSSION:** Tree Replacement Policy. The Committee will discuss the possibility of developing a citywide Tree Replacement Policy.

7. **DISCUSSION**: New Business

8. **FUTURE AGENDA ITEMS**

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

10. **ADJOURNMENT**

The next Landmark Tree Committee meeting will be held on Tuesday, March 13, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)

7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability accessibility hotline at (415) 554-6060.

Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the

Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at **www.sfgov.org/ethics.**

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179** (by following the links by each agenda item) or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at Monica.Fish@Sfgov.org within three business days of a meeting.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: January 30, 2007

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

MEETING DATE **February 13, 2007** **ITEM NO. 3**

URBAN FORESTRY COUNCIL
Landmark Tree Committee
AGENDA PACKET CONTENTS LIST*

☒ Nominations for Landmark Tree Status and supporting documents

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***This list reflects the explanatory documents provided.**

Holly 733 – 27th Avenue

FILE NO. 061530 RESOLUTION NO. 12-07

[Landmark Designation nomination for tree located at 733 27th Avenue.]

Resolution of intent initiating the nomination of the Holly Tree (Ilex Aquifolium) located at 733 27th Avenue (Assessor's Block 1617, Lot 003) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

WHEREAS, Trees provide numerous environmental, social and economic benefits such as reducing stormwater runoff, reducing energy use, reducing air pollution, improving air quality, increasing property values and providing wildlife habitat; and,

WHEREAS, Trees provide beauty, natural character, and a connection with nature in the midst of an urban setting; and,

WHEREAS, Landmark trees have a special significance to the community; and,

WHEREAS, Landmark trees have an especially prominent and beautiful visual impact; and,

WHEREAS, The Board of Supervisors passed Ordinance Number 17-06, an amendment to Public Works Code – Sections 810, landmark trees, significant trees, and penalties for violations in support of a landmark tree program a copy of said Ordinance is on file with the Clerk of the Board of Supervisors in file number 051458 which is incorporated herein by reference; and,

WHEREAS, The City's Urban Forestry Council developed landmark tree designation criteria, forms, and procedure and the Board of Supervisors, in Resolution Enacted Number 440-06, adopted said criteria. A copy of such Resolution is on file with the Clerk of the Board of Supervisors file Number 060487 which is incorporated herein by reference; and, WHEREAS, The Holly tree at 733 27th Avenue, picture of which is on file with the Clerk of the Board of Supervisors in file number 061530 and is incorporated herein as reference, is large, provides for important wildlife habitat, has an especially prominent and beautiful visual impact, and shades and blocks the wind on surrounding properties; now, therefore be it

RESOLVED, This Board, pursuant to Public Works Code Section 810(b), hereby adopts this Resolution of intent to initiate landmark tree designation for the Holly tree located at 733 27th Avenue (Assessor's Block 1617, Lot 003) and acknowledges the temporary designation of such tree for landmark tree status pursuant to Public Works Code Section 810(d); and, be it

FURTHER RESOLVED, The Board directs the Clerk to forward this Resolution and accompanying documents contained in the file to the Urban Forestry Council to begin the landmark tree designation process for the subject tree; and, be it

FURTHER RESOLVED, The Board urges the Director of Public Works to immediately notify the affected property owner of the pending nomination and inform said owner of the special permit and approval requirements for removal of landmark trees under Public Works Code Section 810(f) if such notification has not yet occurred.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 061530 **Date Passed:**

Resolution of intent initiating the nomination of the Holly Tree (Ilex Aquifolium) located at 733 27th Avenue (Assessor's Block 1617, Lot 003) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

January 9, 2007 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 061530

I hereby certify that the foregoing Resolution was ADOPTED on January 9, 2007 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

1/18/07

Date Approved

Mayor Gavin Newsom

Landmark Tree Nomination Form

Who can nominate a landmark tree?

- A property owner may nominate a tree on his or her property.
- A City department or agency may nominate a tree on their property. City departments and agencies should conduct an internal approval process before nominating a tree.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- A member of the public may approach a property owner, Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board or the head of a City department or agency about nominating a tree.

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:

Name
Mason and Laurie Quach
Address
733 27th Avenue
Address
San Francisco, CA 94121
Phone (day)
Fax #
Email

Authorized nominator (if not owner):

Name
Supervisor Jake McGoldrick
Address
1 Dr. Carlton B. Goodlett Place
Address
Phone (day)
415-554-7410
Fax #
415-554-7415
Email
Jake.McGoldrick@sfgov.org

Property owner consent ☐Yes X No

I am the property owner or designee of the property owner and I grant permission for city staff to evaluate a tree on the property with advance notice.

_________________________ Signature

_________________________ Date

TREE DESCRIPTION

Street address: 733 27th Avenue, San Francisco, CA 94121; Assessor's Block 1617, Lot 3

Location of Tree: ☐ Front yard **X** Rear yard ☐ Side yard ☐ Corner-side yard

☐ Public right-of-way ☐ Public lands ☐ Not sure

X Other: Can also be seen from the street – 27th Avenue between the easement located between 733 27th Avenue and 729 27th Avenue

No of trees: 1 very large holly tree

GPS units (OPTIONAL): ____

Tree name (species and common name): Holly

Height ______25_____ feet
Average canopy width[1] 40 feet approx.
Circumference at chest level[2] 3 – 31 inch trunks approx.
Circumference at ground level[3] 3 trunks spreading out at 10 inches each to equal 30 inches approx.

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species
- ☐ Rare

Size or Age
- ☒ Greater than typical mature size or age – approx. 40 years

Cultural/Historical Value
- ☐ Significant historical or cultural association with person, place, event
- ☐ Significant ethnic appreciation
- ☒ Neighborhood appreciation of tree
- ☒ Part of planting that defines neighborhood character
- ☐ Profiled in a publication or other media

Key Location
- ☐ High traffic area
- ☐ Low tree density area
- ☒ Extends between several properties
- ☒ Visually accessible from public right-of-way

Ecology
- ☒ Important wildlife habitat
- ☐ Part of interdependent group of trees
- ☒ Erosion control
- ☒ Wind or sound barrier

Visual characteristic
- ☒ Prominent landscape feature
- ☐ Character defining form

Tree Condition
- ☒ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

- ☐ Root issues
- ☐ Mushrooms (trunk or base of tree)
- ☐ Trunk wounds or cracks
- ☐ Trunk cavities
- ☐ Broken or dead branches
- ☐ Crowded or crossing branches
- ☐ Pest or disease problem

☐ Previous construction that may have damaged tree

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event.

There has been no historical assessment of the tree or property.

Describe how/why the tree has cultural, social and/or historical importance.

There has been no historical assessment of the tree or property.

Describe how/why the tree is a defining or meaningful feature of a neighborhood.

This tree is magnificent and is admired by at least 17-20 neighbors from their backyards. Losing this tree would be a significant loss to the neighborhood and a significant loss of privacy to many neighbors, especially the owners of 730 28th Avenue, 728 28th Avenue, and 729 27th Avenue, to name a few. It is also a beautiful tree that can be seen from 27th Avenue when you are walking down the street and brings the "greening" effect to our block which is the now desired effect that the City is looking for.

Describe how/why the tree has ecological value like wildlife habitat and erosion control.

The tree is a habit for many species of birds, including humming, sparrows, ravens, red tail hawks, blue jays, owls and robins (in the spring). There are also many song birds which inhabit the tree.

Describe any tree health or structure issues.

The tree seems to be in excellent condition.

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (see below). In addition, it is acceptable if you are unable to provide some of the information requested on this form.

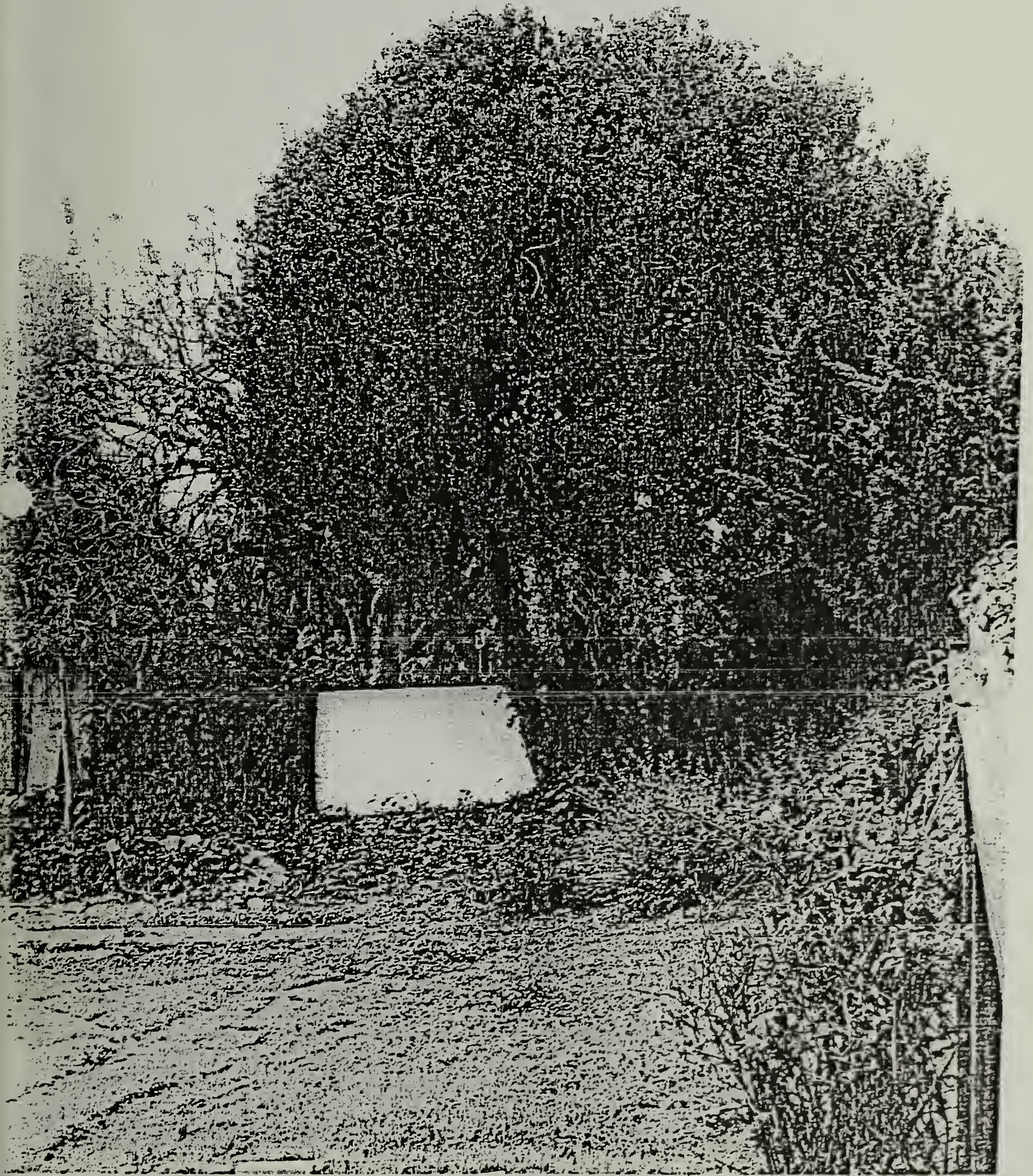
A photograph of the tree must be submitted with this form.

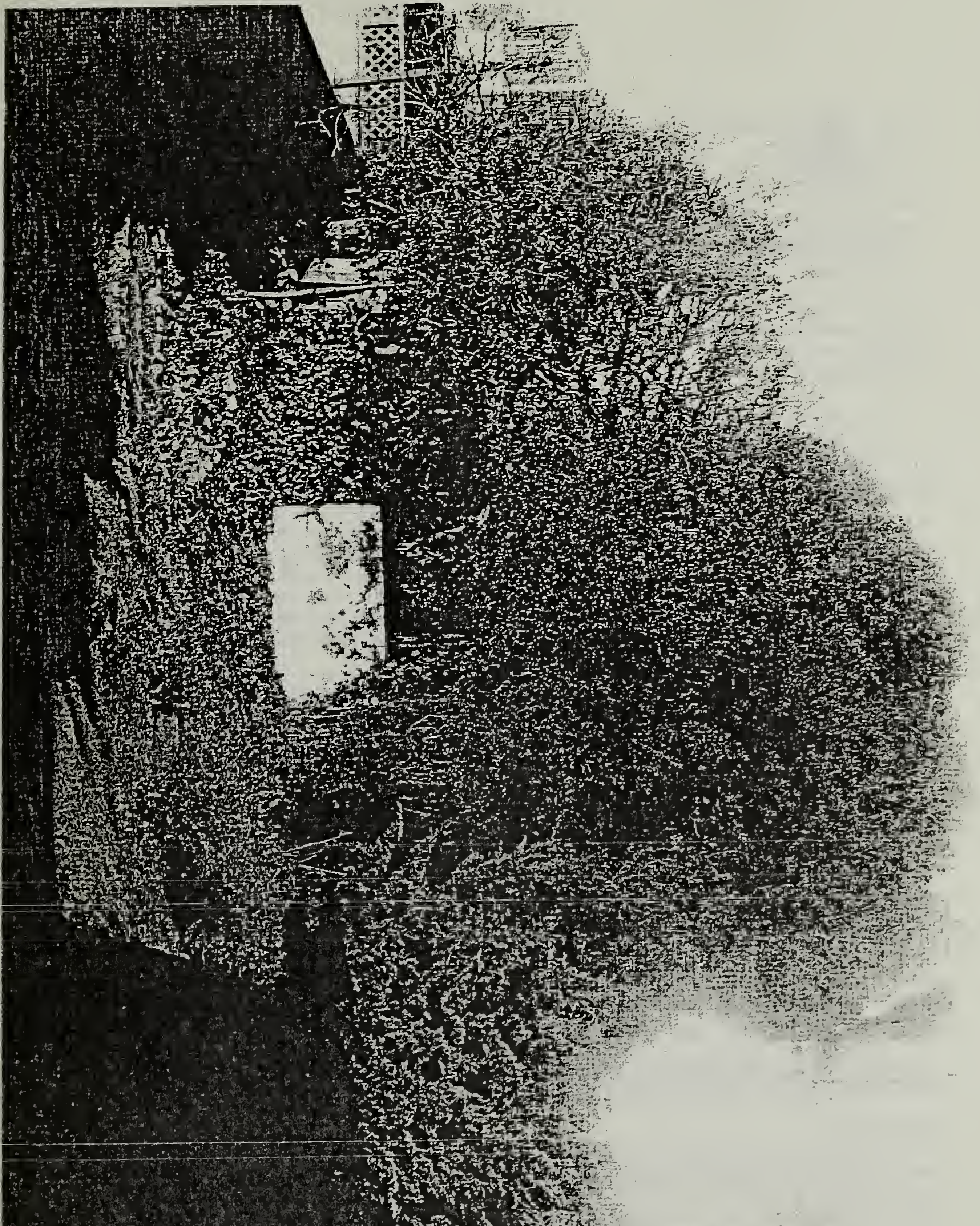
Please attach **optional** supporting documents such as letters, arborist report, etc.

Send to: Urban Forestry Council, c/o Alexis Harte, 11 Grove Street, San Francisco, CA 94102
OR SFUrbanForestCouncil@sfgov.org

FOR STAFF USE ONLY
Application received date ____________ Received by ____________
Tree evaluation form ____________ UFC recommendation date ____________
Board of Supervisors Decision ____________

Landmark Tree # ____________
Title recorded date ____________





Roy C. Leggitt, III
Consulting Arborist
3109 Sacramento Street
San Francisco, CA 94115
Member, American Society of Consulting Arborists
Certified Arborist, International Society of Arboriculture
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---

Cheryl and Doug Schultz
729 27th Avenue
San Francisco, CA 94118

ARBORIST REPORT

Background

The Schultz's reported that 17 trees and shrubs were cut down recently in the rear garden of their neighbor's property at 733 27th Avenue, and only one large holly tree (*Ilex altaclarensis* 'Wilsonii') remained. They stated that construction was planned that would expand the existing structure considerably toward the rear, and had experienced concern that the tree would be removed or damaged in the process. At the request of the Schultz's, a conditional approval for Landmark Tree status was put in place by Supervisor McGoldrick to temporarily protect the tree from harm.

A site sketch was created to show the location of various trees, and can be found at the end of this report. Tree 1 is the holly tree that is located at the neighboring property and is threatened, tree 2 is a California buckeye and trees 3 and 4 are mature holly trees located on other parcels within the same mid-block.

Benefits

I visited the Schultz residence on December 1, 2007 to inspect conditions surrounding this holly tree, and found it to be located at the rear of 733 27th Avenue, the adjacent property to the south, and within about 3 feet of the rear fence line. The holly tree provides privacy between the Schulz property and a neighbor to the west, as well as to several other properties along different lines as this is a very mature example of this holly variety.

To better inspect the tree, the Schultz's arranged for access by way of the property on 28th Avenue that is directly behind the neighboring property with the holly tree. From this property I was able to see the holly tree close up and from most sides.

The holly is a 3-stemmed tree that appeared to be healthy with a full set of leaves of proper size, shape and color. There was no evidence of any pest or disease present.

Cultural History

Holly trees were frequently cultivated in the 19-teens and 1920's, the same era when this area was developed, and are part of the cultural history of this place. In many sites, conditions are not so favorable as here, and mature holly trees are less healthy than this one. Although many types of trees can survive in San Francisco, the ability of this species to thrive in droughty sands such as found here commands respect for the wisdom and experience of the gardeners of yesteryear who planted holly trees.

Additional Holly Trees

Additional holly trees were found as well, one being two lots toward the north and another 4 lots toward the south. These additional holly trees are also very healthy and of approximately the same size and maturity. The holly tree that is of concern is a male plant that does not produce red berries, and both of the other holly trees found are female plants that have red berries on them. These additional holly trees depend on this male holly tree as the pollen source to be able to produce berries.

Additional Threatened Tree

An additional mature, rare and a native tree was discovered during my site inspection from the neighbor behind the threatened holly tree. This significant tree is a California buckeye (*Aesculus californica*), and is an important source of habitat for native mammal, insect and bird species. Native trees such as this are, in my experience, subject to protection under the California Environmental Quality Act (CEQA).

The property where this tree is located was reported as being the first house built in the area. It is likely that the tree pre-dates this earliest house and could be more than 100 years old.

The California buckeye is located within about 2 feet of the rear fence line and overhangs the property with the threatened holly tree. The branches that are over the fence have recently been cut back in an unprofessional and arbitrary manner.

Protection Requirements

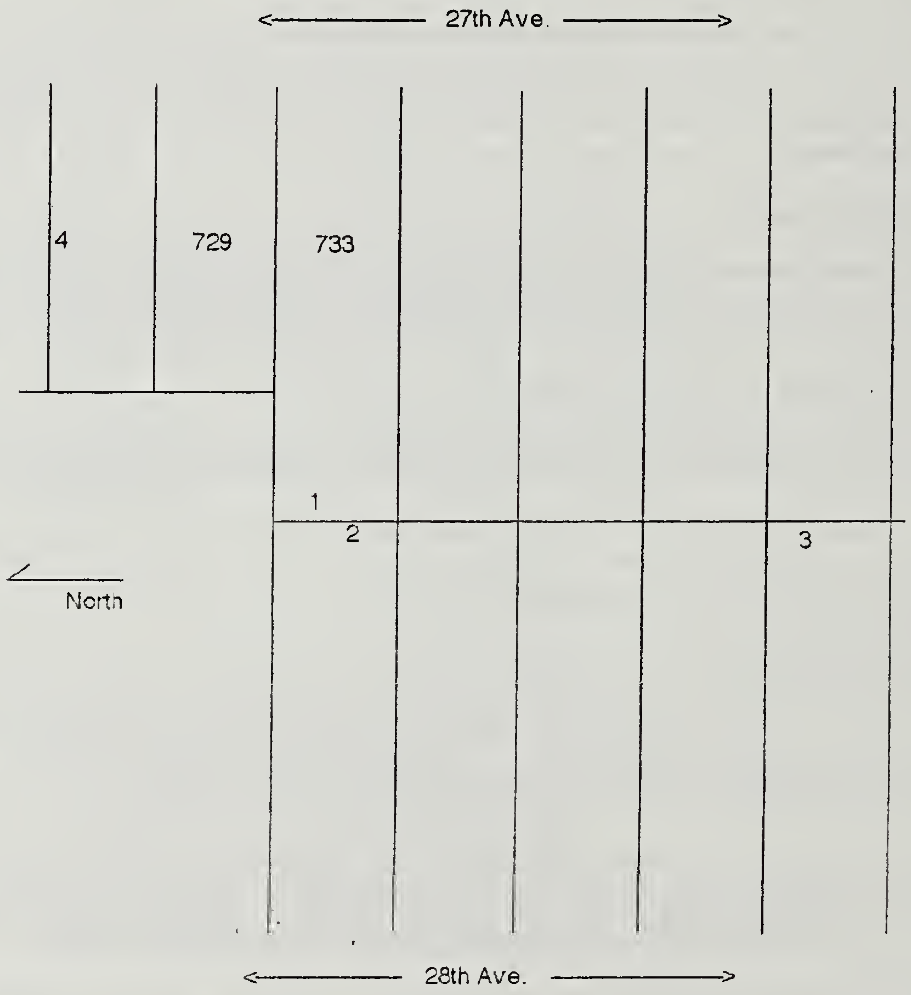
All types of construction can cause harm to these trees, including construction of a building and landscape construction. Building construction will cause impacts to roots well beyond the building envelope or footprint. Roots commonly extend 2 to 5 times the radius of the limb structure, and are certainly present throughout the rear yard of 733 27th Avenue.

To protect the holly tree and the California buckeye from irreparable harm, a Project Arborist must provide specifications for tree protection and tree preservation. Protection must prevent construction activities from causing harm to limbs, trunks and roots. Preservation must provide for the ongoing care that is necessary to sustain these trees during construction activity.

Fence and retaining wall replacement along the side and rear of the neighboring property to the south will certainly impact the health of both adjacent trees, the threatened holly tree and the California buckeye, unless this work is completed with sensitivity to the trees and in a manner that protects the roots from impacts.

Supporting Information

Site Sketch



SKETCH – NOT TO SCALE

Assumptions and Limiting Conditions

1. Any legal description provided to the consultant is assumed to be correct. Title and ownership of all property considered are assumed to be good and marketable No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes or other governmental regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible. The consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
4. Various diagrams, sketches and photographs in this report are intended as visual aids and are not to scale, unless specifically stated as such on the drawing. These communication tools in no way substitute for nor should be construed as surveys, architectural or engineering drawings.
5. Loss or alteration of any part of this report invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written or verbal consent of the consultant.
7. This report is confidential and to be distributed only to the individual or entity to whom it is addressed. Any or all of the contents of this report may be conveyed to another party only with the express prior written or verbal consent of the consultant. Such limitations apply to the original report, a copy, facsimile, scanned image or digital version thereof.
8. This report represents the opinion of the consultant. In no way is the consultant's fee contingent upon a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
9. The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule, an agreement or a contract.
10. Information contained in this report reflects observations made only to those items described and only reflects the condition of those items at the time of the site visit. Furthermore, the inspection is limited to visual examination of items and elements at the site, unless expressly stated otherwise. There is no expressed or implied warranty or guarantee that problems or deficiencies of the plants or property inspected may not arise in the future.

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Certification of Performance

I, Roy C. Leggitt, III, Certify:

- That I have personally inspected the trees and/ or property evaluated in this report. I have stated my findings accurately, insofar as the limitations of my Assignment and within the extent and context identified by this report;
- That I have no current or prospective interest in the vegetation or any real estate that is the subject of this report, and have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts and according to commonly accepted arboricultural practices;
- That no significant professional assistance was provided, except as indicated by the inclusion of another professional report within this report;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.

I am a member in good standing of the American Society of Consulting Arborists and a member and Certified Arborist with the International Society of Arboriculture.

I have attained professional training in all areas of knowledge asserted through this report by completion of a Bachelor of Science degree in a closely related field, by routinely attending pertinent professional conferences and by reading current research from professional journals, books and other media.

I have rendered professional services in a full time capacity in the field of horticulture and arboriculture for more than 18 years.

Signed: Roy C. Leggitt, III

Date: December 12, 2006

Landmark Tree Evaluation Form

Evaluated by Grace Ma

Scientific name: *Ilex altaclarensis* Common name: holly

Street address: 733 27th Avenue

Cross streets: Balboa

Block: 1617 Lot(s): 003

GPS units (optional): ____________________

☒ Private ☐ Public Agency name ____________________

Property owner consent to evaluate ☒ Yes ☐ No

DBH (in):	25	combined DBH of three stems (7.3, 8, 9.8)
Height (ft):	21	estimate
Average canopy spread (ft):	18	
Trunk diameter at ground level (in)		not measured due to watersprouts and leaves
Number of trees	1	

Tree Condition (adapted from CTLA *Guide to Plant Appraisal*)

☐ No apparent problems ☒ Minor problems ☐ Major problems ☐ Extreme problems

Root issues
- ☐ Root anchorage: no apparent problems
- ☐ Collar/flare soundness: no apparent problems
- ☐ Mechanical injury: none visible
- ☐ Girdling/kinked roots: none visible
- ☐ Compaction/waterlogged roots: no
- ☐ Mushrooms (may have to ask owner): none visible

Trunk issues
- ☒ Sound bark and wood
- ☐ Cavities: none visible
- ☐ Mechanical or fire injury: none visible
- ☐ Cracks: none visible
- ☐ Swollen or sunken areas: none visible
- ☐ Conks: none visible

Scaffold branches
- ☒ Strong attachments
- ☒ Smaller diameter than trunk where attached
- ☐ Vertical branch distribution: radial, close together
- ☐ Free of included bark
- ☒ Free of decay and cavities
- ☐ Well pruned: some elevation of lower branches
- ☒ Well-proportioned/proper taper
- ☐ Wound closure: appears okay
- ☐ Deadwood or fire injury: none visible

Small branches and twigs

- ☒ Vigor of current shoots (compare previous growth)
- ☒ Well distributed throughout canopy
- ☐ Appearance of buds (color, shape, size for species)
- ☐ Presence of weak or dead twigs: none visible

Foliage and/or Buds
- ☐ Coloration of foliage: dark green
- ☐ Nutrient status
- ☐ Herbicide, chemical or pollution injury: none visible
- ☐ Wilted or dead leaves: none
- ☐ Dry buds

☐ Presence of insects or disease (any part of tree)

Comments on health or structure: Ivy is growing up trunk into upper branches. One trunk has some included bark at branch union and two scaffold branches growing close together. Soil around base of tree is dry.

Species
- ☐ Rare

Size or Age
- ☐ Greater than typical mature size or age

Cultural/Historical Value
- ☐ Significant historical or cultural association
- ☐ Significant ethnic appreciation
- ☒ Neighborhood appreciation of tree: adjacent neighbors and property owner like the tree
- ☐ Part of planting that defines neighborhood character
- ☐ Profiled in a publication or other media

Key Location
- ☐ High traffic area
- ☒ Low tree density area
- ☐ Extends between several properties
- ☐ Visually accessible from public right-of-way

Ecology
- ☒ Important wildlife habitat: observed scrub jays and kinglet
- ☐ Part of interdependent group of trees
- ☐ Erosion control
- ☐ Wind or sound barrier

Visual characteristic
- ☐ Prominent landscape feature
- ☐ Character defining form

Additional comments
The holly tree's canopy is adjacent to a neighboring California buckeye tree's canopy.

Possible considerations for tree care
Cut and remove ivy on and around the tree.

Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.

California Buckeye – 730 - 28th Avenue

FILE NO. 061693 RESOLUTION NO. 13-07

[Landmark Designation nomination for tree located at 730 28th Avenue.]

Resolution of intent initiating the nomination of the California Buckeye located at 730 28th Avenue (Assessor's Block 1617 Lot 030) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

WHEREAS, Trees provide numerous environmental, social and economic benefits such as reducing stormwater runoff, reducing energy use, reducing air pollution, improving air quality, increasing property values and providing wildlife habitat; and,

WHEREAS, Trees provide beauty, natural character, and a connection with nature in the midst of an urban setting; and,

WHEREAS, Landmark trees have a special significance to the community; and,

WHEREAS, Landmark trees have an especially prominent and beautiful visual impact; and,

WHEREAS, The Board of Supervisors passed Ordinance Number 17-06, an amendment to Public Works Code – Sections 801, landmark trees, significant trees, and penalties for violations in support of a landmark tree program a copy of said Ordinance is on file with the Clerk of the Board of Supervisors in file number 051458 which is incorporated herein by reference; and,

WHEREAS, The City's Urban Forestry Council developed landmark tree designation criteria, forms, and procedure and the Board of Supervisors, in Resolution Enacted Number 440-06, adopted said criteria. A copy of such Resolution is on file with the Clerk of the Board of Supervisors file Number 060487 which is incorporated herein by reference; and, WHEREAS, The California Buckeye tree, picture of which is on file with the Clerk of the Board of Supervisors in file number 061693 and is incorporated herein as reference, is a rare tree in San Francisco, has prominent and beautiful visual impacts, is part of an important wildlife habitat, acts as a wind and sound barrier in spring, summer and fall, and has historic, cultural, and economic significance to it's surrounding community; now, therefore be it

RESOLVED, The Board, pursuant to Public Works Code Section 810(b), hereby adopts this Resolution of intent to initiate landmark tree designation for the Californian Buckeye tree located at 730 28th Avenue, Assessor's Block 1617, Lot 030, and acknowledges the temporary designation of such tree for landmark tree status pursuant to Public Works Code Section 810(d); and, be it

FURTHER RESOLVED, The Board directs the Clerk to forward this Resolution and accompanying documents contained in the file to the Urban Forestry Council to begin the landmark tree designation process for the subject tree; and, be it

FURTHER RESOLVED, The Board urges the Director of Public Works to immediately notify the affected property owner of the pending nomination and inform said owner of the special permit and approval requirements for removal of landmark trees under Public Works Code Section 810(f) if such notification has not yet occurred.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 061693 **Date Passed:**

Resolution of intent initiating the nomination of the California Buckeye located at 730 28th Avenue (Assessor's Block 1617 Lot 030) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

January 9, 2007 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 061693

I hereby certify that the foregoing Resolution was ADOPTED on January 9, 2007 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

1/18/07
Date Approved

Mayor Gavin Newsom

Landmark Tree Nomination Form

Who can nominate a landmark tree?

- A property owner may nominate a tree on his or her property.
- A City department or agency may nominate a tree on their property. City departments and agencies should conduct an internal approval process before nominating a tree.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- A member of the public may approach a property owner, Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board or the head of a City department or agency about nominating a tree.

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:

Name ______

Address ______

Address ______

Phone (day) ______

Fax # ______

Email ______

Name

Supervisor Jake McGoldrick

Address

1 Dr. Carlton B Goodlett Place

Address ______

Phone (day)

415-554-7412

Fax #

415-554-7415

Email

Jake.McGoldrick@sfgov.org or

Cassandra.Costello@sfgov.org

Authorized nominator (if not owner):

Property owner consent ☒ Yes ☐ No

I am the property owner or designee of the property owner and I grant permission for city staff to evaluate a tree on the property with advance notice.

______ Signature

______ Date

TREE DESCRIPTION

Street address: 730 28th Avenue

Location of Tree: ☐ Front yard ☒ Rear yard ☐ Side yard ☐ Corner-side yard

☐ Public right-of-way ☐ Public lands ☐ Not sure

☐ Other: ______

Number of trees: One

GPS units (OPTIONAL): ______

Tree name (species and common name): Aesculus Californica – California Buckeye

Height 15-20 feet
Average canopy width[1] 15-20 feet
Circumference at chest level[2] ____________ inches
Circumference at ground level[3] ______________ inches

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria t o evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species
- **X** Rare

Size or Age
- **X** Greater than typical mature size or age

Cultural/Historical Value
- **X** Significant historical or cultural association with person, place, event
- ☐ Significant ethnic appreciation
- **X** Neighborhood appreciation of tree
- ☐ Part of planting that defines neighborhood character
- ☐ Profiled in a publication or other media

Key Location
- ☐ High traffic area
- ☐ Low tree density area
- **X** Extends between several properties
- ☐ Visually accessible from public right-of-way

Ecology
- **X** Important wildlife habitat
- ☐ Part of interdependent group of trees
- **X** Erosion control **(in spring, summer and fall)**
- **X** Wind or sound barrier **(in spring, summer and fall)**

Visual characteristic
- **X** Prominent landscape feature
- **X** Character defining form

Tree Condition
- **X** No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

- ☐ Root issues
- ☐ Mushrooms (trunk or base of tree)
- ☐ Trunk wounds or cracks
- ☐ Trunk cavities
- ☐ Broken or dead branches
- ☐ Crowded or crossing branches
- ☐ Pest or disease problem
- ☐ Previous construction that may have damaged tree

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event.

The California Buckeye is a native tree to California and is quite rare. As this house was the first on the entire block built in 1912-1913, we have reason to believe that the tree predates the house.

Also, please see additional attached Arborist's Report.

Describe how/why the tree has cultural, social and/or historical importance.

The California Buckeye is notable for its rarity, size and history -- it is one of the few natural California trees you will find. Native Americans used the Buckeye's pods for medicinal purposes and the bark was used for household items. The nuts from the trees are slightly poisonous and were used by Native Americans to catch fish – (they would crush the nuts and throw them in the streams to stupefy the fish).

Describe how/why the tree is a defining or meaningful feature of a neighborhood.

The California Buckeye has beautiful dark green leaves on top, paler beneath with showy long clusters of white flowers appearing in May. It can be seen by at least 10-15 homes and is much admired for its beauty and constant changes with the seasons. In the winter its pale grey bark is especially striking after its leaves have fallen.

Describe how/why the tree has ecological value like wildlife habitat and erosion control.

In the spring, summer and fall the tree provides shade, privacy and sound protection. Also, please see Arborist Report.

Describe any tree health or structure issues.

No health issues.

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (see below). In addition, it is acceptable if you are unable to provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

Please attach **optional** supporting documents such as letters, arborist report, etc.

Arborist Report attached.
Send to: Urban Forestry Council, c/o Alexis Harte, 11 Grove Street, San Francisco, CA 94102
OR SFUrbanForestCouncil@sfgov.org

FOR STAFF USE ONLY
Application received date ____________________ Received by ____________________
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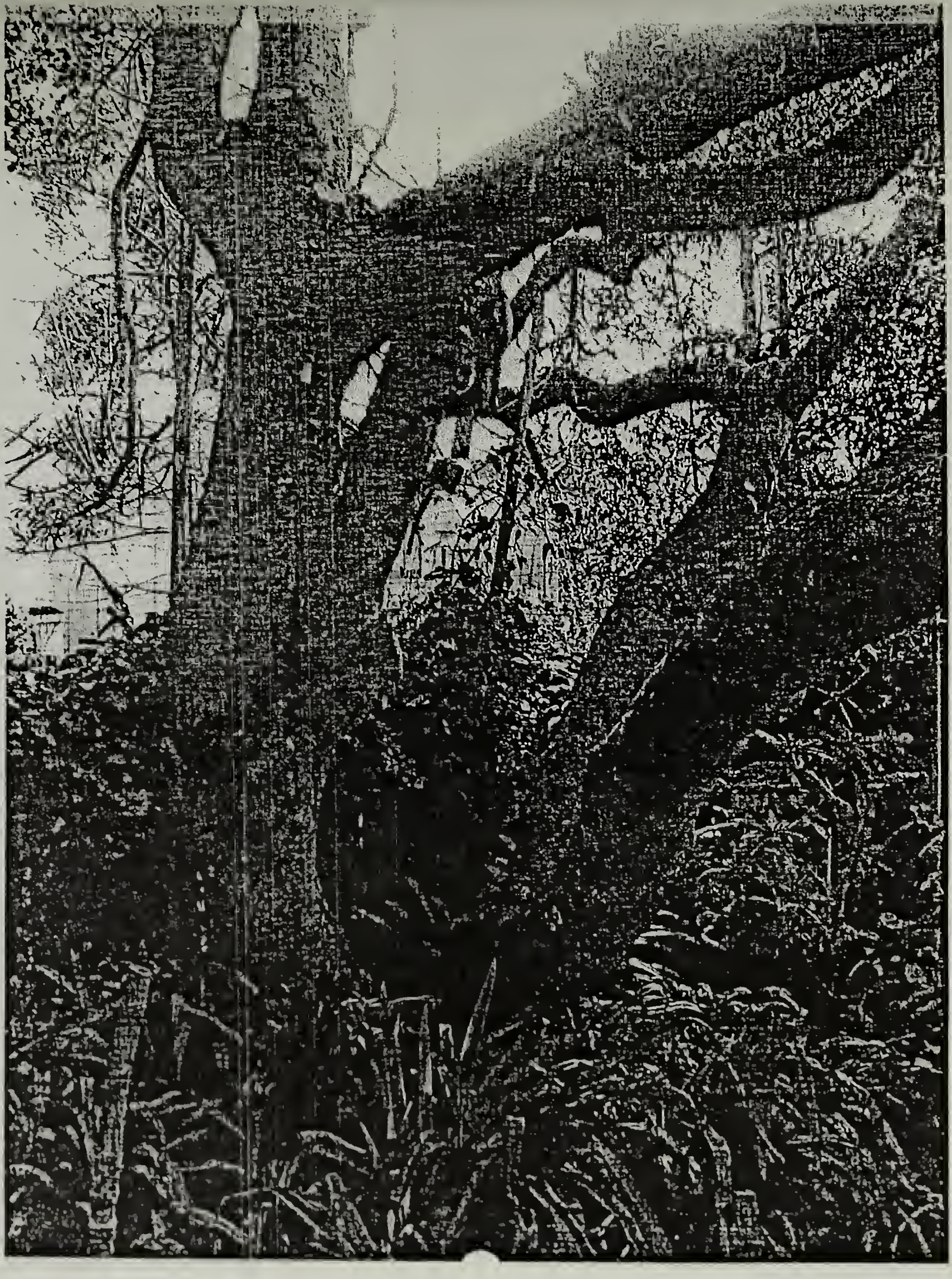

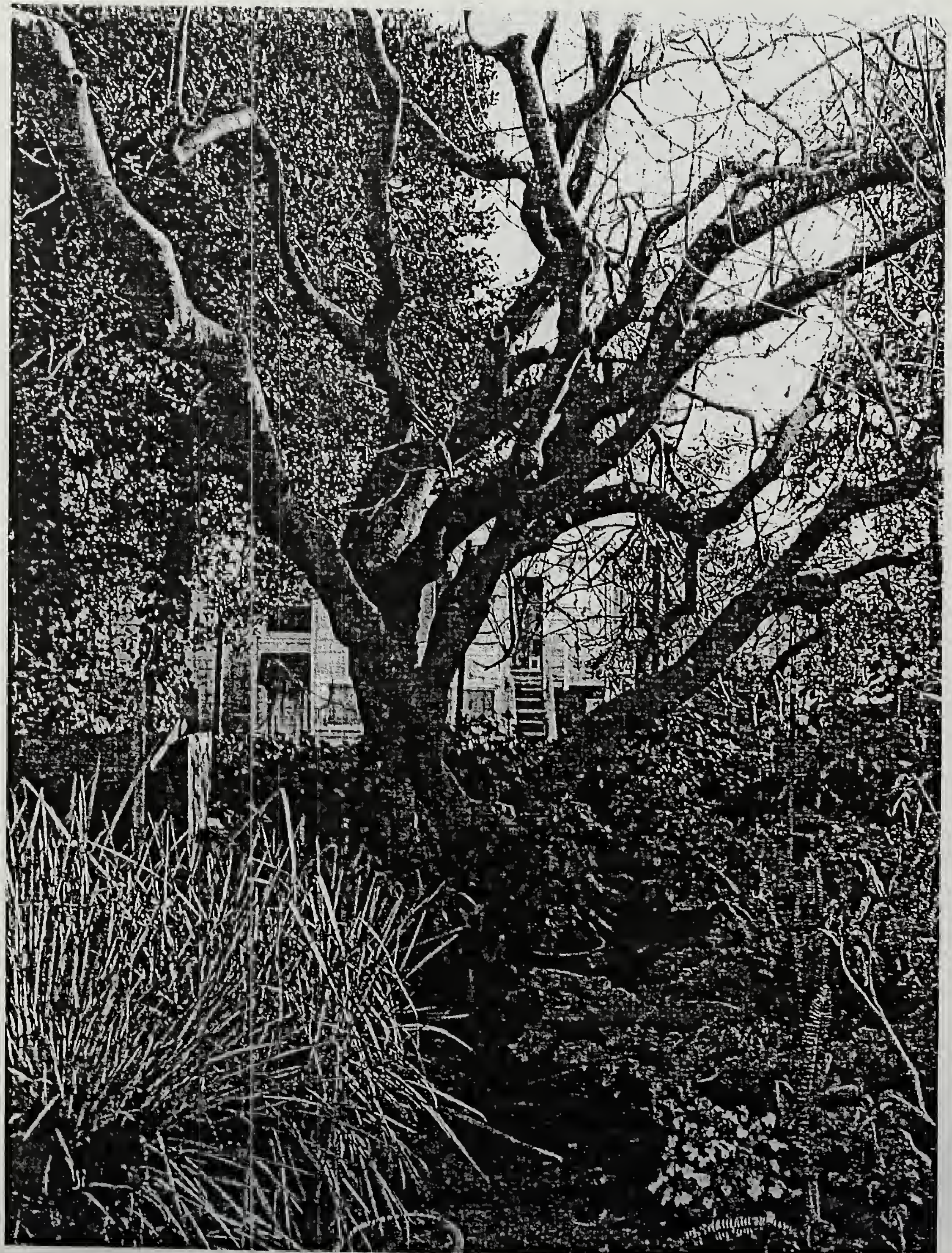

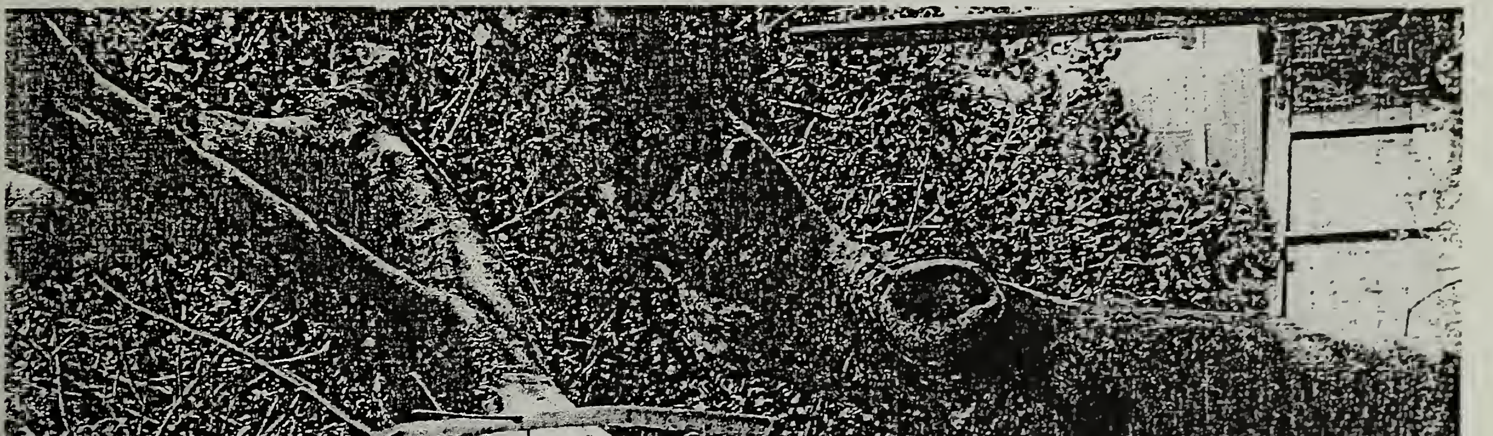

#061693

Cassandra Costello/BOS/SFGOV
12/14/2006 09:59 AM

To Linda Laws/BOS/SFGOV@SFGOV
cc
bcc
Subject Fw: California buckeye in my report

Linda,
Can you please add the email below to the file for the California Buckeye landmark tree item for Monday? It is a note from the arborist who wrote the report for the Holly tree at 733 27th ave stating that the California Buckeye referred to in his report is in the backyard of 730 28th ave.

Thanks,
Cassandra

Cassandra Costello
Legislative Assistant
Supervisor Jake McGoldrick
San Francisco District 1
415-554-7412
Fax 415-554-7415
----- Forwarded by Cassandra Costello/BOS/SFGOV on 12/14/2006 09:56 AM -----

Cheryl ErbSchultz
<cherylschultz1@yahoo.com>
12/14/2006 09:53 AM

To cassandra.costello@sfgov.org
cc
Subject Fwd: California buckeye in my report

Note: forwarded message attached.

Everyone is raving about the all-new Yahoo! Mail beta.

----- Message from "Roy C. Leggitt, III" <RCL3@mindspring.com> on Thu, 14 Dec 2006 07:59:11 -0800 -----

To: Cheryl & Doug Schultz <cherylschultz1@yahoo.com>
Subject: California buckeye in my report

Hi Cheryl,

Here is a note to confirm the location for the California buckeye referred to in my report as 730 28th Avenue. You may forward this message on to the offices of Supervisor McGoldrick.

Regards,
Roy

Roy C. Leggitt, III
Consulting Arborist
3109 Sacramento Street
San Francisco, CA 94115

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Cheryl and Doug Schultz
729 27th Avenue
San Francisco, CA 94118

ARBORIST REPORT

Background

The Schultz's reported that 17 trees and shrubs were cut down recently in the rear garden of their neighbor's property at 733 27th Avenue, and only one large holly tree (*Ilex altaclarensis* 'Wilsonii') remained. They stated that construction was planned that would expand the existing structure considerably toward the rear, and had experienced concern that the tree would be removed or damaged in the process. At the request of the Schultz's, a conditional approval for Landmark Tree status was put in place by Supervisor McGoldrick to temporarily protect the tree from harm.

A site sketch was created to show the location of various trees, and can be found at the end of this report. Tree 1 is the holly tree that is located at the neighboring property and is threatened, tree 2 is a California buckeye and trees 3 and 4 are mature holly trees located on other parcels within the same mid-block.

Benefits

I visited the Schultz residence on December 1, 2007 to inspect conditions surrounding this holly tree, and found it to be located at the rear of 733 27th Avenue, the adjacent property to the south, and within about 3 feet of the rear fence line. The holly tree provides privacy between the Schulz property and a neighbor to the west, as well as to several other properties along different lines as this is a very mature example of this holly variety.

To better inspect the tree, the Schultz's arranged for access by way of the property on 28th Avenue that is directly behind the neighboring property with the holly tree. From this property I was able to see the holly tree close up and from most sides.

The holly is a 3-stemmed tree that appeared to be healthy with a full set of leaves of proper size, shape and color. There was no evidence of any pest or disease present.

Cultural History

Holly trees were frequently cultivated in the 19-teens and 1920's, the same era when this area was developed, and are part of the cultural history of this place. In many sites, conditions are not so favorable as here and mature holly trees are less healthy than this one. Although many types of trees can survive in San Francisco, the ability of this species to thrive in drougnty sands such as found here commands respect for the wisdom and experience of the gardeners of yesteryear who planted holly trees.

Additional Holly Trees

Additional holly trees were found as well, one being two lots toward the north and another 4 lots toward the south. These additional holly trees are also very healthy and of approximately the same size and maturity. The holly tree that is of concern is a male plant that does not produce red berries, and both of the other holly trees found are female plants that have red berries on them. These additional holly trees depend on this male holly tree as the pollen source to be able to produce berries.

Additional Threatened Tree

An additional mature, rare and a native tree was discovered during my site inspection from the neighbor behind the threatened holly tree. This significant tree is a California buckeye (*Aesculus californica*), and is an important source of habitat for native mammal, insect and bird species. Native trees such as this are, in my experience, subject to protection under the California Environmental Quality Act (CEQA).

The property where this tree is located was reported as being the first house built in the area. It is likely that the tree pre-dates this earliest house and could be more than 100 years old.

The California buckeye is located within about 2 feet of the rear fence line and overhangs the property with the threatened holly tree. The branches that are over the fence have recently been cut back in an unprofessional and arbitrary manner.

Protection Requirements

All types of construction can cause harm to these trees, including construction of a building and landscape construction. Building construction will cause impacts to roots well beyond the building envelope or footprint. Roots commonly extend 2 to 5 times the radius of the limb structure, and are certainly present throughout the rear yard of 733 27th Avenue.

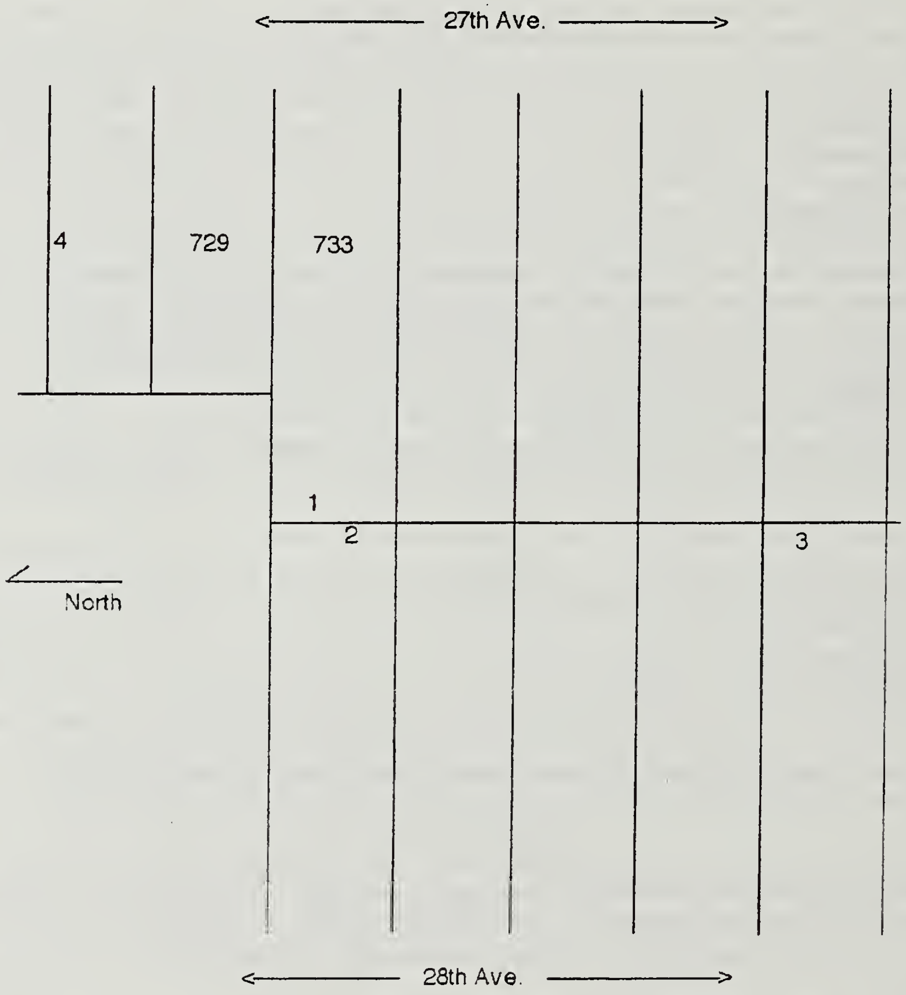
To protect the holly tree and the California buckeye from irreparable harm, a Project Arborist must provide specifications for tree protection and tree preservation. Protection must prevent construction activities from causing harm to limbs, trunks and roots. Preservation must provide for the ongoing care that is necessary to sustain these trees during construction activity.

Fence and retaining wall replacement along the side and rear of the neighboring property to the south will certainly impact the health of both adjacent trees, the threatened holly tree and the California buckeye, unless this work is completed with sensitivity to the trees and in a manner that protects the roots from impacts.

Roy C. Leggitt, III
Consulting Arborist
3109 Sacramento Street
San Francisco, CA 94115
Member, American Society of Consulting Arborists
Certified Arborist, International Society of Arboriculture
cell/vm 415 606 3610 office 415.921 3610 fax 415.921.7711 email RCL3@mindspring.com

Supporting Information

Site Sketch



SKETCH – NOT TO SCALE

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Assumptions and Limiting Conditions

1. Any legal description provided to the consultant is assumed to be correct. Title and ownership of all property considered are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes or other governmental regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible. The consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
4. Various diagrams, sketches and photographs in this report are intended as visual aids and are not to scale, unless specifically stated as such on the drawing. These communication tools in no way substitute for nor should be construed as surveys, architectural or engineering drawings.
5. Loss or alteration of any part of this report invalidates the entire report.
6. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior written or verbal consent of the consultant.
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8. This report represents the opinion of the consultant. In no way is the consultant's fee contingent upon a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
9. The consultant shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule, an agreement or a contract.
10. Information contained in this report reflects observations made only to those items described and only reflects the condition of those items at the time of the site visit. Furthermore, the inspection is limited to visual examination of items and elements at the site, unless expressly stated otherwise. There is no expressed or implied warranty or guarantee that problems or deficiencies of the plants or property inspected may not arise in the future.

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cell/vm 415.606 3610 office 415.921.3610 fax 415.921.7711 email RCL3@mindspring.com

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Certification of Performance

I, Roy C Leggitt, III, Certify:

- That I have personally inspected the trees and/ or property evaluated in this report. I have stated my findings accurately, insofar as the limitations of my Assignment and within the extent and context identified by this report;
- That I have no current or prospective interest in the vegetation or any real estate that is the subject of this report, and have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts and according to commonly accepted arboricultural practices;
- That no significant professional assistance was provided, except as indicated by the inclusion of another professional report within this report;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.

I am a member in good standing of the American Society of Consulting Arborists and a member and Certified Arborist with the International Society of Arboriculture.

I have attained professional training in all areas of knowledge asserted through this report by completion of a Bachelor of Science degree in a closely related field, by routinely attending pertinent professional conferences and by reading current research from professional journals, books and other media.

I have rendered professional services in a full time capacity in the field of horticulture and arboriculture for more than 18 years.

Signed: Roy C. Leggitt, III

Date: *December 12, 2006*

Supervisor Jake McGoldrick
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

December 8, 2006

Dear Mr. McGoldrick,

I am writing to request your assistance in designating a California (CA) Buckeye tree, located in the rear yard of my property at 730 28th Ave., as a landmark.

As you may know, while the California Buckeye is a native species (its pods were often used by Native Americans for medicinal and food purposes and the bark was used for household items), there are very few examples of this type of tree of this age and condition. As a twenty-plus year resident of the Richmond district, I am aware of the need to "green" our neighborhood and maintain the trees already existing. This tree is tall and can be viewed from homes on the next block. I truly appreciate this tree's beauty, its ample shade and the noise barrier it provides, as do many admiring neighbors. An arborist, Roy Leggett, recently estimated the tree's age at approximately 100-150 yrs., which would predate my own house built in 1913. Currently, the height of this tree is about 25 feet and the branch span is approximately 20 feet. The approximate circumference of the trunk is about five feet.

However, I am concerned about the status of this particular tree and would like to see it protected. Mr. Leggett has confirmed that the root structure of this particular tree would extend approximately one- and-a- half times the height of the tree. This would translate into an approximate 35 feet radius root system. While the trunk of the tree is exclusively on my property, the roots extend beneath the property line between my property (730 28th Ave.) and the adjacent rear property at 729 27th Ave.

The above mentioned property at 729 27th Ave. is currently submitting a request to build a much larger property on the site, one which would extend over the root system of the CA Buckeye tree in my yard. There is the potential of great damage and eventual death to the CA Buckeye if there is any disruption to the root system, which would likely occur during any construction over the site.

I am unaware of the existence of any other comparable examples of the CA Buckeye, particularly in the Richmond district. My neighbors certainly enjoy the blooming flowers from their vantage point as well. The Richmond district certainly cannot afford to lose any trees, much less a "grand dame" like this CA Buckeye.

Please help me in preserving this fine example of California history!

Thank you for your assistance.

Sincerely,

Valerie Louie
730 28th Ave.
San Francisco, CA 94121

Attachments: photos of CA Buckeye tree, 730 28th Ave.

City and County of San Francisco

Gavin Newsom, Mayor
Fred V. Abadi, Ph.D., Director

Phone: (415) 554-6920
Fax: (415) 554-6944
TDD: (415) 554-6900
http://www.sfdpw.com

Department of Public Works
Office of the Director
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4645

December 13, 2006

Valerie Louie
730 28th Ave.
San Francisco, CA 94121

Dear Ms. Louie,

This letter serves to inform you that Supervisor Jake McGoldrick has formally nominated the California Buckeye (*Aesculus californica*) tree located on your property at 730 28th Ave. (Block 1617 Lot 030) in San Francisco for Landmark Tree Status. The nomination is in the form of a resolution of intent to initiate Landmark Tree Status, which will be the subject of a Board of Supervisors hearing in the near future.

In accordance with Section 810 (d) of the Public Works Code, this tree is granted a temporary designation of Landmark Tree Status:

"Temporary Designation of Landmark Tree Status. At the time a member of the Board of Supervisors introduces a resolution of intent to initiate a nomination and submits to the Clerk of the Board of Supervisors the information required for a landmark tree nomination request as set forth in Section 810 (b)(2), the subject tree shall be temporarily designated as a landmark tree ("temporary designation") and be subject to the provisions governing landmark trees set forth herein while proceedings are pending on the landmark tree designation."

Therefore, this tree may not be removed without going through the special permit process from the Department of Public Works that is set forth in Public Works Code Section 810(f). Additional rules also apply to maintenance of the tree and any construction work on the property that may affect the tree. We encourage you to review the landmark tree designation process, which involves public hearings at the Urban Forestry Council and Board of Supervisors, and other applicable requirements that are found in the Public Works Code Section 810. This law can be found at any local library or on-line through the City's website at sfgov.org. Please contact the Bureau of Urban Forestry at (415) 641-2674 if you have any questions regarding this matter or if you would like us to send you the relevant portions of the Public Works Code.

Sincerely,

Fred Abadi
Fred V. Abadi, Ph.D.
Director of Public Works

"IMPROVING THE QUALITY OF LIFE IN SAN FRANCISCO" We are dedicated individuals committed to teamwork, customer service and continuous improvement in partnership with the community.

New Zealand Christmas Tree-1221 Stanyan Street

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- An authorized nominator is a Supervisor, head of a City department or agency, Planning Commissioner, Landmarks Preservation Advisory Board member, or property owner.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
- A property owner may nominate a tree on his or her property.
- A member of the public may ask an authorized nominator to nominate a tree.

I am one of the following authorized nominators

- ☐ Property owner
- ☐ Board of Supervisor member
- ☒ Head of a city department or agency
- ☐ Planning Commission member
- ☐ Landmarks Preservation Advisory Board member

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:	Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department/Agency):
	Jared Blumenfeld
Name	Name
	11 Grove Street
Address	Address
	San Francisco CA 94102
Address	Address
	415-355-3700
Phone (day)	Phone (day)
	415-554-6393
Fax #	Fax #
	jared.blumenfeld@sfgov.org
Email	Email

I am the property owner or an authorized nominator and I support this nomination.

________________ Signature

1/29/07 Date

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

________________ Signature

________________ Date

TREE DESCRIPTION

Tree name (species and common name): *Metrosideros excelsus* New Zealand Christmas tree

Number of trees: 1

Street address: 1221 Stanyan Street (at 17th Street)

Location of Tree: ☐ Front yard ☐ Rear yard ☐ Side yard ☐ Corner-side yard

☒ Public right-of-way ☐ Public lands ☐ Not sure

☐ Other: ________________

GPS units (OPTIONAL): ________________

Height	34	feet
Average canopy width[1]	25	feet
Diameter at breast height	23	inches
Diameter at ground level	26	inches

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species
- ☒ Rare: only two or three trees of the yellow "aurea" variety in San Francisco

Size or Age
- ☒ Greater than typical mature size or age

Cultural/Historical Value
- ☒ Significant historical or cultural association with person, place, event
- ☐ Significant ethnic appreciation
- ☒ Neighborhood appreciation of tree
- ☐ Part of planting that defines neighborhood character
- ☒ Profiled in a publication or other media: Featured in Trees of San Francisco by Mike Sullivan

Key Location
- ☒ High traffic area: adjacent to busy residential intersection
- ☐ Low tree density area
- ☐ Extends between several properties
- ☒ Visually accessible from public right-of-way: highly visible street tree

Ecology
- ☒ Important wildlife habitat: provide food for birds
- ☐ Part of interdependent group of trees
- ☐ Erosion control
- ☐ Wind or sound barrier: may provide sound filtration

Visual characteristic
- ☐ Prominent landscape feature
- ☐ Character defining form

Tree Condition
☒ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

Tree Condition
- ☐ Root issues
- ☐ Mushrooms (trunk or base of tree)
- ☐ Trunk wounds or cracks
- ☐ Trunk cavities
- ☐ Broken or dead branches
- ☐ Crowded or crossing branches
- ☐ Pest or disease problem
- ☐ Previous construction that may have damaged tree

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event.
The Reiter family planted this tree. Victor Reiter was a famous horticulturalist in San Francisco. He lived on Stanyan Street and his daughter lives next to this tree. Mr. Reiter also ran a commercial nursery behind Stanyan and Woodland Ave.

Describe how/why the tree has cultural, social and/or historical importance.
A typical New Zealand Christmas tree has red flowers. However, this tree has a natural mutation that produces yellow flowers. This mutation occurred in New Zealand in the 1940s. Victor Reiter obtained a specimen and his family planted this tree.

Describe how/why the tree is a defining or meaningful feature of a neighborhood.
This healthy and large produces bright yellow flowers each June. This tree is larger than the two or three other yellow "aurea" cultivars in San Francisco.

Describe how/why the tree has ecological value like wildlife habitat and erosion control.
The flowers provide food for birds including the wild parrots of Telegraph Hill that visit the neighborhood each summer.

Describe any tree health or structure issues.
No apparent problems.

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

Please attach **optional** supporting documents such as letters, arborist report, etc.

Send to: Urban Forestry Council, c/o Grace Ma, 11 Grove Street, San Francisco, CA 94102
OR grace.ma@sfgov.org

Any information you submit will be part of the public record.
The Public Records Act defines a "public record" broadly to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Govt. Code § 6252(e). The Sunshine Ordinance defines "public information" as the content of "public records" as defined in the Public Records Act. Admin Code § 67.20(b). Pursuant to the Public Records Act and Sunshine Ordinance, this document is a public record and will be available to the public upon request, at the hearing site, at the San Francisco Main Library, and on the Urban Forestry Council's website. Admin Code §§ 8.16, 67.7 (b), and 67.21(a).

FOR STAFF USE ONLY

Application received date	1/24/07	Received by	GRACE MA
Tree evaluation form		UFC recommendation date	
Board of Supervisors Decision			
Landmark Tree #			
Title recorded date			

RECEIVED
JAN 24 2007
By

Landmark Tree Evaluation Form

Evaluated by: Grace Ma

Scientific name: *Metrosideros excelsus* Common name: New Zealand Christmas tree

Street address: 1221 Stanyan Street

Cross streets: 17th Street

Block: 2664 Lot(s): 008

GPS units (optional):

☐ Private ☒ Public Agency name Street tree is under jurisdiction of DPW

Property owner consent to evaluate ☐ Yes ☒ No, not necessary

DBH (in):	24
Height (ft):	28
Average canopy spread (ft):	29
Trunk diameter at ground level (in)	25
Number of trees	1

Tree Condition (adapted from CTLA *Guide to Plant Appraisal*)

☒ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

Root issues
- ☐ Root anchorage
- ☐ Collar/flare soundness
- ☐ Mechanical injury: sidewalk has restricted root growth
- ☐ Girdling/kinked roots: root growing halfway around base of tree
- ☐ Compaction/waterlogged roots
- ☐ Mushrooms (may have to ask owner)

Trunk issues
- ☒ Sound bark and wood
- ☐ Cavities
- ☐ Mechanical or fire injury
- ☐ Cracks
- ☐ Swollen or sunken areas
- ☐ Conks

Scaffold branches
- ☒ Strong attachments
- ☒ Smaller diameter than trunk where attached
- ☒ Vertical branch distribution
- ☒ Free of included bark
- ☐ Free of decay and cavities
- ☐ Well pruned
- ☒ Well-proportioned/proper taper
- ☒ Wound closure
- ☐ Deadwood or fire injury

Small branches and twigs
- ☒ Vigor of current shoots (compare previous growth): new growth
- ☒ Well distributed throughout canopy
- ☐ Appearance of buds (color, shape, size for species)
- ☒ Presence of weak or dead twigs: some dead branches in interior of crown

Foliage and/or Buds
- ☒ Coloration of foliage: dark green
- ☐ Nutrient status
- ☐ Herbicide, chemical or pollution injury: none
- ☒ Wilted or dead leaves: no wilt, several yellow leaves
- ☐ Dry buds

☐ Presence of insects or disease (any part of tree)

Comments on health or structure: ______________________________

Species
- ☒ Rare: Few yellow cultivars of New Zealand Christmas tree in San Francisco.

Size or Age
- ☒ Greater than typical mature size or age

Cultural/Historical Value
- ☒ Significant historical or cultural association: Victor Reiter and his family planted this tree.
- ☐ Significant ethnic appreciation
- ☐ Neighborhood appreciation of tree
- ☐ Part of planting that defines neighborhood character
- ☒ Profiled in a publication or other media: Trees of San Francisco by Mike Sullivan

Key Location
- ☒ High traffic area: Residential intersection has steady traffic.
- ☐ Low tree density area
- ☐ Extends between several properties
- ☒ Visually accessible from public right-of-way

Ecology
- ☒ Important wildlife habitat: Wild parrots and other birds eat flowers.
- ☐ Part of interdependent group of trees
- ☐ Erosion control
- ☐ Wind or sound barrier

Visual characteristic
- ☒ Prominent landscape feature
- ☐ Character defining form

Additional comments
Aerial roots are present.

Possible considerations for tree care
Water tree during dry and/or hot periods.

Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

MEETING DATE **February 13, 2007** **ITEM NO. 4**

URBAN FORESTRY COUNCIL
Landmark Tree Committee
AGENDA PACKET CONTENTS LIST*

☒ Evaluation Form January 2007

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*This list reflects the explanatory documents provided.

URBAN FORESTRY COUNCIL
CRITERIA FOR LANDMARK TREE EVALUATION

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the UFC has developed these criteria for evaluating potential landmark trees in San Francisco. When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would. Use comment sections, as appropriate, to explain or support evaluation. Attach sheets if more space is needed.

Evaluator's name: ____________________________
Date of evaluation: ___________________________

Scientific name: __________________________ Common name: __________________________

Street address: ____

Cross streets: ____

Rare: ____Yes ____No ____Other:
Unusual species in San Francisco. Also consider rarity in California, North America, world.

Comment: ____

____

Size: ____Large ____Not large
Notable size compared to other trees of the same species.

Comment: ____

____

Age: ____Significantly advanced ___Not significantly advanced
Significantly advanced age (known or estimated)

Comment: ____

____

Historical Association: ____ Yes ____ None apparent
Related to a historic or cultural building, site, street, person, event, etc.

Describe nature of appreciation: ____

____

Ethnic appreciation: ____Yes ____None apparent
Particular value to certain ethnic groups in neighborhood or city.

Describe nature of appreciation: ____

____

Neighborhood appreciation: ____ Yes ____None apparent
Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.
Describe nature of appreciation. Attach documentation: ______________________________

____

Planting defines neighborhood character: ____Yes ____No
Contributes to neighborhood aesthetic.

Describe contribution: ____

____

Profiled in a publication or other media: ____Yes ____None apparent
Tree has received print, internet, video media coverage.
Describe coverage. Attach documentation if appropriate. Be specific.

High traffic area: ____Yes ____No
High visibility, possible traffic calming effect.

Describe: ____

____

Low tree density: ____Yes ____No
Tree exists in a neighborhood with very few trees.

Describe: ____

____

Extends between multiple properties: ____Yes ____No
High visibility, multiple neighbors share tree.

Describe: ____

____

Accessible from public right-of-way. ____Yes ____No
High visibility.

Describe: ____

____

Important wildlife habitat: ____Yes ____No
Wildlife shelter and/or food (observed or potential)
Describe. Be as specific as possible.

____

____

Interdependent group of trees: ____Yes ____No
This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Describe: ____

____

Erosion control: ____Yes ____No
Tree prevents soil erosion

Describe: ____

____

Wind or sound barrier: ____Yes ____No
Tree reduces wind speed or mitigates undesirable noise

Describe: ____

____

Prominent landscape feature: ____Yes ____No
A striking and outstanding natural feature

Describe, attach photo if possible: ____________________________________

____

Character-defining form: ____Yes ____No
Tree is an example of good form for its particular species.

Describe: ____

____

Tree condition: ____Good ____Poor ____Hazard
Consider overall tree health and structure, and whether or not tree poses a hazard

Describe: ____

____

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Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

MEETING DATE February 13, 2007 **ITEM NO. 5**

URBAN FORESTRY COUNCIL
Landmark Tree Committee
AGENDA PACKET CONTENTS LIST*

☒ Draft Outreach Letter Outline

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***This list reflects the explanatory documents provided.**

MEMORANDUM

Date: **January 31, 2007**

From: **David J. Habert, AICP**
Member, Urban Forest Council
Landmark Tree Committee

To: **Landmark Tree Committee Members**

Subject: **Background Information of LTO Outreach Letters**

Purpose of Outreach Letters

1. To generate enthusiasm for the Land-mark Tree Ordinance and for the Land-marking of Trees.
2. To garner support for the Land-marking of Trees.
3. To make people aware that trees can be land-marked.
4. To explain the land-marking and nomination process to a bewildered public.
5. To generate nominations from a variety of people.

Questions:

1. Who can nominate a tree?
    - *Member of BOS (for tree within his/her District)*
    - *Department Head of Property-owning Department*
    - *Property owner.*
    - *Tenant.(Must get property owner okay)*
2. What is (are) the process(es) by which a tree can be given landmark status?
3. What does it mean if a tree is given landmark status?
4. What happens if a tree is nominated, but does not get landmark status?

Method of Outreach

1. Letters answering the above questions to each of the four groups listed above.
2. Placement of article on tree land-marking in Chronicle and Examiner.

Perhaps we should publish a list of trees that will be considered, and have been considered, with a full report on their landmark status (i.e., whether or not they have been approved). Since this is a relatively new process, I think that emphasis should be placed on making folks feel comfortable with the process, explaining it to them.

SF Environment
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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

SF
E84.96
#2
2/13/07
draft

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES

Tuesday, February 13, 2007, 4:00 P.M.

DOCUMENTS DEPT.
FEB 23 2007
SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:02 p.m. Present: Chair Boss, Members Blair (4:07 p.m.), Griswold, Habert, and Sustarich.

2. **ACTION**: Adoption of minutes of the January 9, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon motion by Chair Boss and second by Member Habert, the January 9, 2007 Meeting Minutes were approved without objection. (Absent: Member Blair) (Explanatory Document: Approved Minutes of the January 9, 2007 Regular Meeting (HTML) http://sfgov.org/site/sfenvironment_page.asp?id=53471)

3. **DISCUSSION and ACTION**: Hearing on Nominations for Landmark Tree Status. The Landmark Tree Committee held a hearing to determine whether the trees nominated at the following addresses meet the criteria for designation as landmark trees:

   holly (*Ilex altaclarensis*) at 733 27th Avenue (Explanatory Document: Board of Supervisors Resolution of Intent to Nominate (PDF) http://sfgov.org/site/uploadedfiles/BOSresolution_0012-07.pdf), Nomination Form (Word) http://sfgov.org/site/uploadedfiles/Nomination_holly_73327thave.doc, Support Documentation

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

(PDF) http://sfgov.org/site/uploadedfiles/Supportdocs_holly_73327thAve.PDF and Staff Evaluation Form http://sfgov.org/site/uploadedfiles/EvaluationhollyGMa.doc.

California buckeye (*Aesculus californica*) at 730 28th Avenue (Explanatory Document: Board of Supervisors Resolution of Intent to Nominate (PDF) http://sfgov.org/site/uploadedfiles/BOSresolution_0013-07.pdf), Nomination Form http://sfgov.org/site/uploadedfiles/Nomination_CAbuckeye_73028thAve.doc, Support Documentation (PDF) http://sfgov.org/site/uploadedfiles/SupportdocsCAbuckeye73028thAve.PDF.

New Zealand Christmas Tree (Metrosideros excelsus) in front of 1221 Stanyan Street (Department of the Environment Nomination Form (PDF) http://sfgov.org/site/uploadedfiles/SFENomnztree1221Stanyan.pdf) and Photo (PDF) http://sfgov.org/site/uploadedfiles/1221StanyanPhoto.pdf.

Other Explanatory Documents: Landmark Tree Committee Evaluation Forms (PDF) http://web1.sfgov.org/site/uploadedfiles/MSustarichEvalForms.pdf, http://web1.sfgov.org/site/uploadedfiles/MBossEval730_28thAve.pdf, http://web1.sfgov.org/site/uploadedfiles/MBossEval733_27thAve.pdf, http://web1.sfgov.org/site/uploadedfiles/MBossEval1221Stanyan.pdf.

At the conclusion of the hearing, the Landmark Tree Committee voted on whether to approve or reject the nominations and adopted written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration.

Chair Boss explained that the Landmark Tree Committee makes recommendations to the Urban Forestry Council to either approve or reject landmark tree nominations. The Urban Forestry Council then forwards its recommendation to the Board of Supervisors who designates the landmark status. The Board of Supervisors does not have to abide by the Urban Forestry Council's recommendation, but if the Council does not recommend landmark tree status, the tree does not go forth to the Board of Supervisors. It is the Landmark Tree Committee's job to evaluate whether the trees in question meet the criteria for landmark status and does not get involved in property rights, building permit, or other neighborhood dispute issues. It was advised that there are other bodies for this kind of work.

holly (*Ilex altaclarensis*) at 733 27th Avenue

Staff Analysis

Urban Forestry Specialist Ma indicated that Supervisor McGoldrick nominated the tree at 733 27th Avenue for landmark tree status and presented a staff report, tree evaluation, and photos. It was stated that the Arborist Report was included in the Committee's packet. Ms. Ma reported that Ms. Cheryl Schultz, an adjacent neighbor, asserted that she has a petition with 64 neighbor signatures in support of landmark tree status that she had submitted to Supervisor McGoldrick's office and would forward to the Urban Forestry Council for their review at the February 27 meeting.

Property Owner

Ms. Laurie Quach stated that she is not opposed to landmarking the tree, has no intention of harming the tree, but that her main concern is that landmarking does not present a financial burden. Chair Boss stated that his understanding is that there would not be any financial encumbrances to the owner in saving or protecting the tree, but the tree could not be cut down without applying for a permit. Ms. Ma explained that Ms. Quach's concern is that if the tree receives landmark tree status, a certified arborist would have to be hired to create a Tree Protection Plan to include in their redevelopment plan. Ms. Quach asked if the Urban Forestry Council could provide guidance if the tree were landmarked. Chair Boss stated that the Council could provide guidance, but not financial assistance.

Discussion and Action by Committee

Member Sustarich and Chair Boss discussed their tree evaluation reports and summarized findings. Both questioned the Arborist Report's findings regarding the 100 year old age of the tree. Member Sustarich requested that the property owner provide specific tree care in order to preserve the holly and neighboring buckeye tree. Member Habert stated that if a tree is not landmarked, it does not mean that it should be cut down, and the Council should seek tree protection for trees that are not landmarked. Member Blair inquired about planned construction on the property. Committee Members gave recommendations to Ms. Quach on how to protect the tree during construction.

Vote: 5-0 Recommend Rejecting Landmark Tree Status
Upon Motion by Chair Boss and second by Member Sustarich the Landmark Tree Committee voted to recommend rejecting landmark tree status to the Urban Forestry Council for the holly (*Ilex altaclarensis*) at 733 27th Avenue without objection. (AYES: Chair Boss, Members Blair, Habert, Griswold, and Sustarich; NOES: None)
(Explanatory Document: Written Findings: (Word)
http://web1.sfgov.org/site/uploadedfiles/73327thAveWrittenSummary.doc)

Committee Members agreed to Member Griswold's suggestion that in the future, a "yes" vote would mean in favor of landmark tree status and a "no" vote would be to reject landmark tree status.

California buckeye (*Aesculus californica*) at 730 28th Avenue

Staff Report

Urban Forestry Specialist Ma advised that the property owner, Ms. Valerie Louie, supports the nomination and is planning to attend the February 27 Council meeting. Ms. Ma stated that Ms. Cheryl Schultz, a neighbor, expressed her support for nomination and indicated that there was a neighborhood petition in favor of landmark tree status that will be presented for the Council meeting. It was stated that Supervisor McGoldrick nominated the tree for landmark status and the nomination included photos, the same arborist report as for the 733 27th Avenue, a property owner support for landmarking letter, and a letter from the Department of Public Works to Ms. Louie indicating that the nomination took place. Ms. Ma presented her tree evaluation, photos, and summarized findings.

Affected Property Owner

Ms. Quach stated that the tree is a beautiful, is next to her holly tree, and asked if she had to remove any trees in order to preserve the buckeye. Member Sustarich advised that she would not have to remove any surrounding trees.

Discussion and Action by Committee

Chair Boss and Member Sustarich presented their tree evaluation reports and findings.
Vote: Approve to Recommend Landmark Tree Status (4-1)
Upon Motion by Member Blair and second by Chair Boss, the Landmark Tree Committee approved recommending landmark tree status to the Urban Forestry Council for the California buckeye (*Aesculus californica*) at 730 28th Avenue (AYES: Chair Boss, Members Blair, Griswold, and Habert; NOES: Member Sustarich). (Explanatory Document: Written Findings: http://web1.sfgov.org/site/uploadedfiles/73028thAveWrittenSummary.doc)

New Zealand Christmas Tree (Metrosideros excelsus) in front of 1221 Stanyan Street

Staff Report

Urban Forestry Specialist Ma advised that the Department of the Environment Director Jared Blumenfeld nominated this tree for landmark tree status. Ms. Ma advised that because the tree is a street tree, it is considered a significant tree, and a permit would be required to remove the tree. It was stated that a letter was sent to the property owner at 1221 Stanyan Street, but there was no response. Ms. Ma reported on her tree evaluation report and advised that the tree was profiled in Trees of San Francisco, authored by Mr. Michael Sullivan.

Discussion and Action by Committee

Chair Boss discussed his tree evaluation report and indicated strong support for landmark tree status. It was advised that the founder of the California Horticultural Society planted the tree and is of historical significance.

Public Comment

Mr. Terry Milne, Urban Forestry Council Chair stated that Mr. Sullivan recommended this tree for landmark tree status, and that the history of the tree is well documented in Mr. Sullivan's book. Mr. Milne advised that the tree is the center of neighborhood appreciation and is included as a stop in neighborhood tours.

Vote: Approve to Recommend Landmark Tree Status (5-0)
Upon Motion by Chair Boss and second by Member Blair, the New Zealand Christmas Tree (Metrosideros excelsus) in front of 1221 Stanyan Street was

recommended for landmark tree status to the Urban Forestry Council (AYES: Chair Boss, Members Blair, Griswold, Habert and Sustarich; NOES: None) (Explanatory Document: Written Findings: (Word) http://web1.sfgov.org/site/uploadedfiles/1221StanyanWrittenSummary.doc)

4. **DISCUSSION and POSSIBLE ACTION:** The Committee considered and voted on a revised evaluation form for trees that have been nominated for landmark status. (Explanatory Document: Evaluation form Jan07 (Word) http://sfgov.org/site/uploadedfiles/MBevaluationformJan07.doc.)

Member Boss presented a revised version of the Landmark Tree Evaluation Form for the Committee's recommendation. It was stated that the new form matches the criteria for landmark tree evaluation that the Board of Supervisors approved. A discussion was held on elements of the form. The following amendments were recommended:

Scientific name: increase the size of the line to the end of the margin
Common name: move to the next line after "Scientific name"
Rare: Change the "Yes" and "No" fields to ____Rare ___ Uncommon___ Common (leave "Other" in)
Size: ____Large ____Moderate ____Small
Notable size (for example, height, canopy width, and diameter) compared to other trees of the same species
Age: Significantly advanced in age compared to other trees of the same species
Tree Density: ___Low tree density ___ Moderate tree density ___ High tree density
Add "Other Comments" or "Summary" (three or four lines)
Add "Conclusion"

Vote (5-0) Approved with Amendments
Upon Motion by Member Griswold and second by Member Habert, the revised Landmark Tree Evaluation Form was approved with amendments to forward to the Urban Forestry Council for their consideration and vote at the February 27, 2007 meeting (AYES: Chair Boss, Members Blair, Griswold, Habert and Sustarich; NOES: None).

Chair Boss recommended that Committee Members submit their evaluation forms at the conclusion of the meeting instead of before in order to consider additional testimony and documentation presented at the meeting. Member Blair stated that the forms would be more useful if they were submitted before the meeting so that other members would have an opportunity for review.

5. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Plan for Landmarking of Trees (Continued from the January 9, 2007 Meeting). Committee Members reviewed an outline of an outreach letter to the Board of Supervisors and Department Heads for consideration at a future Urban Forestry Council meeting. (Explanatory Document: Draft Outreach Letter Outline (Word) http://web1.sfgov.org/site/uploadedfiles/OutreachLtrOutlineDraft.doc)

Member Habert discussed the draft outline of the public outreach letter that describes the purpose, answers questions, and describes the method of outreach. Committee Members agreed that each member of the Board of Supervisors and Department Heads should be the recipients of the letter as sending a letter to all city residents may cause more of a response than can be handled and could cause property dispute issues to arise. Additional methods of outreach discussed included a placement of an article on tree landmarking in the Chronicle and Examiner or other newspapers, the web, and to create a press release when the Urban Forestry Council or Board approves nominations. Urban Forestry Specialist Ma recommended that a newspaper article be considered once the Board of Supervisors has ratified multiple landmark trees and then photos, and interviews with home owners and nominators can be included.

Committee members discussed notifying key organizations that deal with trees such as Recreation and Park Department, horticultural societies, Sierra Club, Friends of the Urban Forest, San Francisco Unified School District, etc. Member Blair discussed the February 12 Commission on the Environment Policy Committee meeting discussion on the topic of outreaching to schools to heighten children's awareness of trees through educational programs.

Member Habert stated that he would prepare a letter for the next Landmark Tree Committee meeting in March.

6. **DISCUSSION:** Tree Replacement Policy. Chair Boss recommended that Members Blair and Habert discuss this item with the Urban Forestry Council Chair to determine if it should be discussed at the Planning and Policy Committee or the full Council. Member Griswold recommended that this item be better defined.

7. **DISCUSSION**: New Business. Chair Boss suggested that the Landmark Tree Committee write a memo to the Planning and Policy Committee Chair recommending amendments to the Ordinance. Recommendations made included (1) any individual Supervisor has the authority to nominate a tree in any district without approval from the full Board; (2) change the 180 day protection to 270 days; and (3) protection extended through failure to act or if no action is taken, the tree is automatically landmarked.

8. **FUTURE AGENDA ITEMS.** Revise landmark tree nomination form for discussion and action and redefining landmark tree evaluation criteria.

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

10. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:30 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, March 13, 2007 at 4:00 p.m., Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; at the links by each agenda item, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org.**

Adopted:

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
APPROVED MINUTES

Tuesday, February 13, 2007, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert and Mark Sustarich

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(PDF) http://sfgov.org/site/uploadedfiles/Supportdocs_holly_73327thAve.PDF and Staff Evaluation Form http://sfgov.org/site/uploadedfiles/EvaluationhollyGMa.doc.

California buckeye (*Aesculus californica*) at 730 28th Avenue (Explanatory Document: Board of Supervisors Resolution of Intent to Nominate (PDF) http://sfgov.org/site/uploadedfiles/BOSresolution_0013-07.pdf), Nomination Form http://sfgov.org/site/uploadedfiles/Nomination_CAbuckeye_73028thAve.doc, Support Documentation (PDF) http://sfgov.org/site/uploadedfiles/SupportdocsCAbuckeye73028thAve.PDF.

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At the conclusion of the hearing, the Landmark Tree Committee voted on whether to approve or reject the nominations and adopted written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration.

Chair Boss explained that the Landmark Tree Committee makes recommendations to the Urban Forestry Council to either approve or reject landmark tree nominations. The Urban Forestry Council then forwards its recommendation to the Board of Supervisors who designates the landmark status. The Board of Supervisors does not have to abide by the Urban Forestry Council's recommendation, but if the Council does not recommend landmark tree status, the tree does not go forth to the Board of Supervisors. It is the Landmark Tree Committee's job to evaluate whether the trees in question meet the criteria for landmark status and does not get involved in property rights, building permit, or other neighborhood dispute issues. It was advised that there are other bodies for this kind of work.

holly (*Ilex altaclarensis*) at 733 27th Avenue

Staff Analysis

Urban Forestry Specialist Ma indicated that Supervisor McGoldrick nominated the tree at 733 27th Avenue for landmark tree status and presented a staff report, tree evaluation, and photos. It was stated that the Arborist Report was included in the Committee's packet. Ms. Ma reported that Ms. Cheryl Schultz, an adjacent neighbor, asserted that she has a petition with 64 neighbor signatures in support of landmark tree status that she had submitted to Supervisor McGoldrick's office and would forward to the Urban Forestry Council for their review at the February 27 meeting.

Property Owner

Ms. Laurie Quach stated that she is not opposed to landmarking the tree, has no intention of harming the tree, but that her main concern is that landmarking does not present a financial burden. Chair Boss stated that his understanding is that there would not be any financial encumbrances to the owner in saving or protecting the tree, but the tree could not be cut down without applying for a permit. Ms. Ma explained that Ms. Quach's concern is that if the tree receives landmark tree status, a certified arborist would have to be hired to create a Tree Protection Plan to include in their redevelopment plan. Ms. Quach asked if the Urban Forestry Council could provide guidance if the tree were landmarked. Chair Boss stated that the Council could provide guidance, but not financial assistance.

Discussion and Action by Committee

Member Sustarich and Chair Boss discussed their tree evaluation reports and summarized findings. Both questioned the Arborist Report's findings regarding the 100 year old age of the tree. Member Sustarich requested that the property owner provide specific tree care in order to preserve the holly and neighboring buckeye tree. Member Habert stated that if a tree is not landmarked, it does not mean that it should be cut down, and the Council should seek tree protection for trees that are not landmarked. Member Blair inquired about planned construction on the property. Committee Members gave recommendations to Ms. Quach on how to protect the tree during construction.

Vote: 5-0 Recommend Rejecting Landmark Tree Status
Upon Motion by Chair Boss and second by Member Sustarich the Landmark Tree Committee voted to recommend rejecting landmark tree status to the Urban Forestry Council for the holly (*Ilex altaclarensis*) at 733 27th Avenue without objection. (AYES: Chair Boss, Members Blair, Habert, Griswold, and Sustarich; NOES: None)
(Explanatory Document: Written Findings: (Word)
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Committee Members agreed to Member Griswold's suggestion that in the future, a "yes" vote would mean in favor of landmark tree status and a "no" vote would be to reject landmark tree status.

California buckeye (*Aesculus californica*) at 730 28th Avenue

Staff Report

Urban Forestry Specialist Ma advised that the property owner, Ms. Valerie Louie, supports the nomination and is planning to attend the February 27 Council meeting. Ms. Ma stated that Ms. Cheryl Schultz, a neighbor, expressed her support for nomination and indicated that there was a neighborhood petition in favor of landmark tree status that will be presented for the Council meeting. It was stated that Supervisor McGoldrick nominated the tree for landmark status and the nomination included photos, the same arborist report as for the 733 27th Avenue, a property owner support for landmarking letter, and a letter from the Department of Public Works to Ms. Louie indicating that the nomination took place. Ms. Ma presented her tree evaluation, photos, and summarized findings.

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Discussion and Action by Committee

Chair Boss and Member Sustarich presented their tree evaluation reports and findings.
Vote: Approve to Recommend Landmark Tree Status (4-1)
Upon Motion by Member Blair and second by Chair Boss, the Landmark Tree Committee approved recommending landmark tree status to the Urban Forestry Council for the California buckeye (*Aesculus californica*) at 730 28th Avenue (AYES: Chair Boss, Members Blair, Griswold, and Habert; NOES: Member Sustarich). (Explanatory Document: Written Findings: http://web1.sfgov.org/site/uploadedfiles/73028thAveWrittenSummary.doc)

New Zealand Christmas Tree (Metrosideros excelsus) in front of 1221 Stanyan Street

Staff Report

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Public Comment

Mr. Terry Milne, Urban Forestry Council Chair stated that Mr. Sullivan recommended this tree for landmark tree status, and that the history of the tree is well documented in Mr. Sullivan's book. Mr. Milne advised that the tree is the center of neighborhood appreciation and is included as a stop in neighborhood tours.

Vote: Approve to Recommend Landmark Tree Status (5-0)
Upon Motion by Chair Boss and second by Member Blair, the New Zealand Christmas Tree (Metrosideros excelsus) in front of 1221 Stanyan Street was

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4. **DISCUSSION and POSSIBLE ACTION:** The Committee considered and voted on a revised evaluation form for trees that have been nominated for landmark status. (Explanatory Document: Evaluation form Jan07 (Word) http://sfgov.org/site/uploadedfiles/MBevaluationformJan07.doc.)

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Rare: Change the "Yes" and "No" fields to ____Rare ___ Uncommon___ Common (leave "Other" in)
Size: ____Large ____Moderate ____Small
Notable size (for example, height, canopy width, and diameter) compared to other trees of the same species
Age: Significantly advanced in age compared to other trees of the same species
Tree Density: ___Low tree density ___ Moderate tree density ___ High tree density
Add "Other Comments" or "Summary" (three or four lines)
Add "Conclusion"

Vote (5-0) Approved with Amendments
Upon Motion by Member Griswold and second by Member Habert, the revised Landmark Tree Evaluation Form was approved with amendments to forward to the Urban Forestry Council for their consideration and vote at the February 27, 2007 meeting (AYES: Chair Boss, Members Blair, Griswold, Habert and Sustarich; NOES: None).

Chair Boss recommended that Committee Members submit their evaluation forms at the conclusion of the meeting instead of before in order to consider additional testimony and documentation presented at the meeting. Member Blair stated that the forms would be more useful if they were submitted before the meeting so that other members would have an opportunity for review.

5. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Plan for Landmarking of Trees (Continued from the January 9, 2007 Meeting). Committee Members reviewed an outline of an outreach letter to the Board of Supervisors and Department Heads for consideration at a future Urban Forestry Council meeting. (Explanatory Document: Draft Outreach Letter Outline (Word) http://web1.sfgov.org/site/uploadedfiles/OutreachLtrOutlineDraft.doc)

Member Habert discussed the draft outline of the public outreach letter that describes the purpose, answers questions, and describes the method of outreach. Committee Members agreed that each member of the Board of Supervisors and Department Heads should be the recipients of the letter as sending a letter to all city residents may cause more of a response than can be handled and could cause property dispute issues to arise. Additional methods of outreach discussed included a placement of an article on tree landmarking in the Chronicle and Examiner or other newspapers, the web, and to create a press release when the Urban Forestry Council or Board approves nominations. Urban Forestry Specialist Ma recommended that a newspaper article be considered once the Board of Supervisors has ratified multiple landmark trees and then photos, and interviews with homeowners and nominators can be included.

Committee members discussed notifying key organizations that deal with trees such as Recreation and Park Department, horticultural societies, Sierra Club, Friends of the Urban Forest, San Francisco Unified School District, etc. Member Blair discussed the February 12 Commission on the Environment Policy Committee meeting discussion on the topic of outreaching to schools to heighten children's awareness of trees through educational programs.

Member Habert stated that he would prepare a letter for the next Landmark Tree Committee meeting in March.

6. **DISCUSSION:** Tree Replacement Policy. Chair Boss recommended that Members Blair and Habert discuss this item with the Urban Forestry Council Chair to determine if it should be discussed at the Planning and Policy Committee or the full Council. Member Griswold recommended that this item be better defined.

7. **DISCUSSION**: New Business. Chair Boss suggested that the Landmark Tree Committee write a memo to the Planning and Policy Committee Chair recommending amendments to the Ordinance. Recommendations made included (1) any individual Supervisor has the authority to nominate a tree in any district without approval from the full Board; (2) change the 180 day protection to 270 days; and (3) protection extended through failure to act or if no action is taken, the tree is automatically landmarked.

8. **FUTURE AGENDA ITEMS.** Revise landmark tree nomination form for discussion and action and redefining landmark tree evaluation criteria.

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

10. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 6:30 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, March 13, 2007 at 4:00 p.m., Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; at the links by each agenda item, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org.**

Adopted: March 13, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council
LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, March 13, 2007 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Specialist: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of minutes of the February 13, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the February 13, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=55755.)

3. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Letter for Landmarking of Trees (Continued from the February 13, 2007 Meeting). Committee Members will review and possibly vote to approve for recommendation to the Urban Forestry Council an outreach letter addressed to the Board of Supervisors, the community, and Department Heads. (Explanatory Document: Draft Outreach Letter)

4. **DISCUSSION and POSSIBLE ACTION:** The Committee will consider and possibly vote on revisions to the Landmark Tree Nomination Form to recommend to the Urban Forestry Council.

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

5. **DISCUSSION and POSSIBLE ACTION:** The Committee will discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council.

6. **DISCUSSION:** Discussion on Landmark Tree Committee agenda timelines versus timelines for landmark tree documentation.

7. **DISCUSSION**: New Business

8. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

9. **ADJOURNMENT**

The next Landmark Tree Committee meeting will be held on Tuesday, April 10, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
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4) Affected property owner's presentation, including outside professional staff (8 min)
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Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: February 27, 2007

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES

SF
E84.96
#2
3/13/07
draft

Tuesday, March 13, 2007, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert and Mark Sustarich

Urban Forestry Council Associate: Grace Ma

Council Secretary: Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The meeting was called to order at 4:05 p.m. Present: Chair Boss, Members Blair, Habert, and Sustarich; Excused: Member Griswold.

2. **ACTION**: Adoption of minutes of the February 13, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Approved Minutes of the February 13, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=57289.)

   Upon Motion by Chair Boss and second by Member Sustarich, the February 13, 2007 Meeting Minutes were approved without objection (Absent: Members Griswold and Habert).

   Member Habert joined the meeting at this time.

3. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Letter for Landmarking of Trees (Continued from the February 13, 2007 Meeting). Committee Members reviewed outreach letters addressed to the Board of Supervisors, Department Heads, Property Owners and Tenants and presented their ideas. (Explanatory Document: Draft Outreach Letters

(Word): http://web1.sfgov.org/site/uploadedfiles/MembersofBOSOutreachLtr.doc, http://web1.sfgov.org/site/uploadedfiles/CitizensproownerOutreachLtr.doc, http://web1.sfgov.org/site/uploadedfiles/DepartmentHeadsOutreachLtr.doc, http://web1.sfgov.org/site/uploadedfiles/Citizens(tenant)OutreachLtr.doc.

Committee Members recommended that two letters be written, one to the Board of Supervisors and Department Heads and one to San Francisco Residents. It was recommended that the letter to San Francisco Residents be kept short expressing enthusiasm for landmarking trees, pulling out three to five points from the Landmark Tree Ordinance on why trees should be nominated, and referencing the procedural document entitled “City and County of San Francisco Landmark Tree Program, Information and Nomination Forms by the Urban Forest Program.” The letter to San Francisco Residents would include a message to property owners about their ability to nominate trees on their property directly and an overall message on how to get a tree nominated if it is not on private property (e.g. through a Supervisor).

Chair Boss recommended that the letter to the Board of Supervisors and Department Heads include a message encouraging them to make nominations and referring to the brochure as to the process. The message could be similar to the Board of Supervisors Letter explanatory document above, page 2.

Member Blair discussed the Board of Supervisors process for landmarking trees.

Public Comment: Urban Forestry Council Chair Milne explained that an individual Board of Supervisors member could nominate a tree, but explained that the entire Board has to approve the nomination as part of the process.

Urban Forestry Specialist Ma advised that the Department has no additional funding to mail letters to San Francisco residents, but could send letters to the Board of Supervisors and Department Heads. It was recommended that letters addressed to San Francisco residents be distributed at Department events, through inquiries, and posted on the web.

This item was continued to the April 10 meeting to review final drafts. Member Habert agreed to prepare and send draft letters to include in the packet ten days before the meeting as requested by Committee Members.

4. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Nomination Form Revisions. Chair Boss and Urban Forestry Specialist Ma would meet and put together a template to present to the Committee. This item was continued to the April 10 meeting.

5. **DISCUSSION and POSSIBLE ACTION:** The Committee discussed redefining landmark tree evaluation criteria.

   Chair Boss recommended improvements to landmark tree evaluation criteria as a result of the Committee’s initial review of trees and from discussions at Urban Forestry Council meetings. Member Habert recommended that certain criteria such as rare, size, and age be quantified in order to minimize the subjective and maximize the objective. Chair Boss questioned whether factual data could be applied to many of the categories (e.g. ethnic appreciation). Urban Forestry Specialist Ma stated that factual data is not available for rare, size, and age categories and Committee member’s impressions are relied upon to fill out the fields. Member Blair suggested using data from the United States Forest Department on the state of the Urban Forest in San Francisco. Urban Forestry Specialist Ma explained that the UFORE Study is an estimated inventory of the trees in San Francisco, and gives a general idea of all the tree species, general size classes, and general distribution, but does not include all of the tree species and number of trees. As a result, quantifying these fields may not be possible because factual data is not available.

Chair Boss explained that once the evaluation criteria have been changed, the nomination and evaluation forms would be changed to match the criteria.

Committee members discussed the evaluation criteria form as it relates to the rare and important wildlife habitat categories. It was stated that the rare category should be expanded to give it more distinction. Member Blair felt that all trees are important wildlife habitats for birds and other wildlife.

Public Comment: Urban Forestry Council Chair Milne indicated that several fields were put on the criteria list without the benefit of the experience in landmarking trees, but in thinking about the important things that should be considerations for landmark tree designation. Other categories are included as an opportunity to write personal observations.

Committee Members were asked to submit their recommendations for improvements to the evaluation criteria to the Council Secretary for distribution to Committee members. Urban Forestry Specialist Ma advised that the Urban Forestry Council would ask the Board of Supervisors by Resolution to make a legislative change to the Ordinance to adopt the new criteria once adopted. This item was continued to the April 10 meeting.

6. **DISCUSSION:** Discussion on Landmark Tree Committee agenda timelines versus timelines for landmark tree documentation.

   Urban Forestry Specialist Ma explained that the Committee Members approved a process that requires that agendas and documentation be made available to Committee members ten days before the actual meeting.

   Public Comment: Chair Milne explained that he believes that there was a question about dates of when agendas and documentation were to be turned in.

   This item was continued to the April 10 meeting after clarification of the agenda item by the Council Secretary.

7. **DISCUSSION**: New Business. Urban Forestry Specialist Ma stated that Supervisor Dufty's office introduced an intent to nominate a group of seven trees at 3184 Market or 314 Corbett Street, but the nomination has not yet been submitted to the full Board for a vote. Member Blair asked that the Landmark Tree Committee receive a list of all nominated trees and their current status, e.g. who nominated, date, status, deadline. Chair Boss asked Urban Forestry Specialist Ma to report on Board of Supervisors and Committee landmark tree hearings. Urban Forestry Specialist Ma advised that the Urban Forestry Council has recommended trees for landmark status, but the Board of Supervisors has not yet designated any of the trees as landmarks. Member Blair asked whether Landmark Tree Committee members should lobby the Supervisors to landmark trees.

Chair Boss reported on an upcoming San Francisco Flower and Garden show in a week and a half where Rock and Rose + Birkmyer would have a demonstration garden of natural lawn and meadow. Member Blair reported on a new book called “The Trees” written in an easy to read and informative language.

8. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee’s jurisdiction and are not on today’s agenda. There was no public comment at this time.

9. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 5:35 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, April 10, 2007 at 4:00 p.m., Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

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Adopted:

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Mayor

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Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
APPROVED MINUTES

SF
E54.96
#2
3/13/07
approved

Tuesday, March 13, 2007, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
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Adopted: April 10, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council
LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

Tuesday, April 10, 2007 at 4:00 PM
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert, and Mark Sustarich

Urban Forestry Specialist: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of minutes of the March 13, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the March 13, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=57817.)

3. **DISCUSSION and POSSIBLE ACTION:** Public Outreach Letters for Landmarking of Trees (Continued from the March 13, 2007 Meeting). Committee Members will review and possibly vote to approve for recommendation to the Urban Forestry Council two outreach letters, one addressed to the Board of Supervisors and Department Heads and one addressed to San Francisco Residents. (Explanatory Documents: Draft Outreach Letters)

4. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Nomination Form. The Committee will consider and possibly vote on revisions to the Landmark Tree Nomination Form to recommend to the Urban Forestry Council (Continued from the March 13, 2007 Meeting) (Explanatory Document: Nomination Form (Word) http://web1.sfgov.org/site/uploadedfiles/LandmarkNomFormJan07.doc).

5. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Evaluation Criteria. The Committee will discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council (Explanatory Document. Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/LandmarkTreeCriteria.doc).

6. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Committee Agenda and Documentation Due Dates. The Committee will discuss and possibly vote to revise current agenda and documentation due dates.

7. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members will discuss how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office.

8. **INFORMATION and DISCUSSION**: New Business

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

10. **ADJOURNMENT**

The next Landmark Tree Committee meeting will be held on Tuesday, May 8, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

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Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: March 27, 2007

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- An authorized nominator is a Supervisor, head of a City department or agency, Planning Commissioner, Landmarks Preservation Advisory Board member, or property owner.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
- A property owner may nominate a tree on his or her property.
- A member of the public may ask an authorized nominator to nominate a tree.

I am one of the following authorized nominators

☐ Property owner
☐ Board of Supervisor member
☐ Head of a city department or agency
☐ Planning Commission member
☐ Landmarks Preservation Advisory Board member

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:	Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department/Agency):
Name	Name
Address	Address
Address	Address
Phone (day)	Phone (day)
Fax #	Fax #
Email	Email

I am the property owner or an authorized nominator and I support this nomination.

______________________________ Signature

______________________________ Date

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

______________________________ Signature

______________________________ Date

TREE DESCRIPTION

Tree name (species and common name): ______________________________

Number of trees: ______________________________

Street address: ______________________________

Location of Tree: ☐ Front yard ☐ Rear yard ☐ Side yard ☐ Corner-side yard
☐ Public right-of-way ☐ Public lands ☐ Not sure
☐ Other: ______________________________

GPS units (OPTIONAL): ______________________________

Height __________ feet
Average canopy width[1] __________ feet
Circumference at chest level[2] __________ inches
Circumference at ground level[3] __________ inches

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species
- ☐ Rare

Size or Age
- ☐ Greater than typical mature size or age

Cultural/Historical Value
- ☐ Significant historical or cultural association with person, place, event
- ☐ Significant ethnic appreciation
- ☐ Neighborhood appreciation of tree
- ☐ Part of planting that defines neighborhood character
- ☐ Profiled in a publication or other media

Key Location
- ☐ High traffic area
- ☐ Low tree density area
- ☐ Extends between several properties
- ☐ Visually accessible from public right-of-way

Ecology

- ☐ Important wildlife habitat
- ☐ Part of interdependent group of trees
- ☐ Erosion control
- ☐ Wind or sound barrier

Visual characteristic

- ☐ Prominent landscape feature
- ☐ Character defining form

Tree Condition

☐ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

Tree Condition

- ☐ Root issues
- ☐ Mushrooms (trunk or base of tree)
- ☐ Trunk wounds or cracks
- ☐ Trunk cavities
- ☐ Broken or dead branches
- ☐ Crowded or crossing branches
- ☐ Pest or disease problem
- ☐ Previous construction that may have damaged tree

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event.

Describe how/why the tree has cultural, social and/or historical importance.

Describe how/why the tree is a defining or meaningful feature of a neighborhood.

Describe how/why the tree has ecological value like wildlife habitat and erosion control.

Describe any tree health or structure issues.

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

Please attach **optional** supporting documents such as letters, arborist report, etc.

Send to: Urban Forestry Council, c/o Grace Ma, 11 Grove Street, San Francisco, CA 94102
OR grace.ma@sfgov.org

Any information you submit will be part of the public record.
The Public Records Act defines a "public record" broadly to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Govt. Code § 6252(e). The Sunshine Ordinance defines "public information" as the content of "public records" as defined in the Public Records Act. Admin Code § 67.20(b). Pursuant to the Public Records Act and Sunshine Ordinance, this document is a public record and will be available to the public upon request, at the hearing site, at the San Francisco Main Library, and on the Urban Forestry Council's website. Admin Code §§ 8.16, 67.7 (b), and 67.21(a).

FOR STAFF USE ONLY
Application received date ____________________ Received by ________________
Tree evaluation form ____________________ UFC recommendation date ________________
Board of Supervisors Decision ____
Landmark Tree # ____________________
Title recorded date ____________________

Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.

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Mayor

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Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

SF
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4/10/07
draft

REGULAR MEETING
DRAFT MINUTES

Tuesday, April 10, 2007, 4:00 P.M.

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SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, David Habert and Mark Sustarich

Urban Forestry Specialist: Grace Ma

Council Secretary: Monica Fish

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   Chair Boss stated that the Urban Forestry Council approved the revised Landmark Tree Evaluation Criteria form at their February meeting and requested that the Committee consider modifying the Landmark Tree Nomination Form to be in sync with the Landmark Tree Evaluation Criteria and the Landmark Tree Evaluation Form. The Committee discussed the April07 Revised Nomination Form modifications (see Revised Nomination Form explanatory document above).

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   Chair Boss stated that as a member of the Landmark Tree Committee, he has had difficulty applying and evaluating landmark tree nominations using the current evaluation criteria and recommended changes listed in the criteria fields below. It was indicated that of particular concern is that there is propensity towards hearsay without substantiation by documentation or other means. The Committee members discussed the current criteria fields as follows:

   Rare. Replace the language "Also consider rarity in California, North America, world" with "Also consider rarity in a region of San Francisco (neighborhood or ecological zone)." Member Blair asked to eliminate "Uncommon" and "Common" terms. Chair Boss explained that the entire forestry and botanical fields describe plants/trees as rare, common, or uncommon. Member Sustarich suggested using the term "Rarity" instead of "Rare."

   Committee members discussed how rarity can be measured. It was indicated that there is no accepted statistical model as to what trees are common or uncommon in San Francisco and to prevent hearsay from ruling the process, the advice of a knowledgeable professional or some other data would be necessary. It was indicated that a current reliable study of San Francisco trees would assist this process; however, none exists. Urban Forestry Specialist Ma stated that the UFORE report data collected in 2004 contains an estimated tree inventory. Chair Boss advised that the UFORE report contains general information but specifics are deemed inaccurate.

Size. No comments were made on the size field.

Age. Delete "Significantly advanced age for this species (known or estimated)" as the only methods available to know the tree age would be destructive to the tree. A discussion was held on including fields that indicate the tree's life cycle, e.g. juvenile, mature, or senescent, and to add "State age if known by providing documentation." Committee members stated that documentation such as a photograph, owner documentation, or other record could be a basis to substantiate the age.

Historical Association. Delete "cultural" from the sentence "Related to a historic or cultural…"

Ethnic appreciation. Change title to "Cultural, Ethnic or Religious Appreciation."

Neighborhood appreciation: Sentence following the title should read "Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, testimony, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character. Member Blair requested that a future discussion be held on how a single tree can define neighborhood character as well as the idea of landmarking groupings of trees.

Profiled in a publication or other media. This field was determined to be fine as is.

High traffic area. Change the title to "Traffic calming value" and the description to "The tree is located in an area of high volume of vehicular, pedestrian or bike traffic with a potential traffic calming effect."

Low tree density. This field was determined to be fine as is.

Extends between multiple properties. Irrelevant topic—eliminate.

Accessible from public right of way. Change the title to include "Visible or" before "Accessible" and the description from "High visibility" to "High visibility and/or access from public property".

Important wildlife habitat. The description should include "This tree has a known relationship with a particular wildlife species and provides food, shelter, and nesting."

Interdependent group of trees. This field was determined to be fine as is.

Erosion control. This field was determined to be fine as is.

Wind or sound barrier: This field was determined to be fine as is.

Prominent landscape feature. This field was determined to be fine as is.

Character defining form. This field was determined to be fine as is.

Tree condition. This field was determined to be fine as is.

This agenda item was continued to the May 8 meeting so that additional members could be part of the discussion and vote. A copy of the Landmark Tree Evaluation Criteria with recommended revisions will be presented at the May 8 meeting for review.

6. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Committee Agenda and Documentation Due Dates. The Committee discussed and voted to revise current agenda and documentation due dates.

   Urban Forestry Specialist Ma reported that she is not always able to honor the ten day documentation due date requirement because in the case of landmark tree nominations, access to backyards is not available and documentation/public outreach correspondence is not received. Chair Boss stated that he would like to receive the landmark tree nomination forms in advance in order to have time to do a site visit, but that it would be acceptable to utilize standard requirements for sending out the agenda and other documentation.

   Upon Motion by Chair Boss and second by Member Sustarich the current meeting agenda and documentation ten-day due date requirements were revised to standard noticing requirements, and the nomination forms would maintain the ten-calendar day due date requirement. (AYES: Chair Boss, Members Blair and Sustarich) (Absent: Members Habert and Griswold.)

7. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members will discuss how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office.

   Urban Forestry Specialist Ma reported that the City Attorney's Office had advised that the Urban Forestry Council's Landmark Tree Resolution written findings have to be substantiated by fact, not just observations or hearsay. No other specific instructions were issued by the City Attorney's Office.

   Chair Boss asked that the Deputy City Attorney be invited to the May 8 meeting to provide additional information. Continued to the May 8 meeting.

8. **INFORMATION and DISCUSSION**: New Business. Urban Forestry Specialist Ma reported that Supervisor McGoldrick's Office is proposing a notification requirement for the Landmark Tree program. The proposal is that all property owners within a 300-foot radius of a landmark tree nomination be notified that a tree is being nominated and that there will be public hearings related to the tree. Ms. Ma stated that the Planning Department is administering this type of notification for certain kinds of permits and has an architect/developer of the project create the radius either in-house or hires a private company to mail notices. Ms. Ma indicated that she has inquired with the Planning Department about the time, cost, and staffing to administer the notification process. A discussion will be held with the Environment Department Director on this issue.

Chair Boss reported that the City is planning to cut down landmark quality trees because of an infrastructure project in Bernal Heights on Mayflower Street. Four large eucalyptus trees including a 3 ½ foot diameter eucalyptus out of a total of 15 trees would be cut down. It was stated that Mayflower Street is one of the last remaining dirt roads in the City and possibly the only tree-lined dirt road. Chair Boss indicated that the trees are a very prominent landscape feature and that he is working to petition the Board of Permit Appeals to reverse a hearing that went against saving the trees. It was reported that the trees are under the Department of Public Work's jurisdiction and that a tree hearing had been held on this issue.

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

10. **ADJOURNMENT.** The Landmark Tree Committee Meeting adjourned at 6:28 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, May 8, 2007 at 4:00 p.m., Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

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CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES-CORRECTED

Tuesday, April 10, 2007, 4:00 P.M.

City Hall, Room 421
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APPROVED MINUTES

SF
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   Upon Motion by Member Sustarich and second by Member Blair, the April 07 Revised Nomination form was approved with a revision to add a place for the identity of the member of the public who requested an authorized nominator to nominate a tree (AYES: Chair Boss, Members Blair and Sustarich; Absent: Members Griswold and Habert). The revised Nomination Form will be forwarded to the Urban Forestry Council for discussion and vote at their April 23 meeting.

5. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Evaluation Criteria. The Committee discussed redefining landmark tree evaluation criteria and continued this item to their May 8, 2007 meeting for further discussion (Explanatory Document. Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/LandmarkTreeCriteria.doc).

   Urban Forestry Specialist Ma reported that the City Attorney's Office had advised that landmark tree nomination criteria have to be substantiated through research and/or documentation.

   Chair Boss stated that as a member of the Landmark Tree Committee, he has had difficulty applying and evaluating landmark tree nominations using the current evaluation criteria and recommended changes listed in the criteria fields below. It was indicated that of particular concern is that there is propensity towards hearsay without substantiation by documentation or other means. The Committee members discussed the current criteria fields as follows:

   Rare. Replace the language "Also consider rarity in California, North America, world" with "Also consider rarity in a region of San Francisco (neighborhood or ecological zone)." Member Blair asked to eliminate "Uncommon" and "Common" terms. Chair Boss explained that the entire forestry and botanical fields describe plants/trees as rare, common, or uncommon. Member Sustarich suggested using the term "Rarity" instead of "Rare."

   Committee members discussed how rarity can be measured. It was indicated that there is no accepted statistical model as to what trees are common or uncommon in San Francisco and to prevent hearsay from ruling the process, the advice of a knowledgeable professional or some other data would be necessary. It was indicated that a current reliable study of San Francisco trees would assist this process; however, none exists. Urban Forestry Specialist

Ma stated that the UFORE report data collected in 2004 contains an estimated tree inventory. Chair Boss advised that the UFORE report contains general information but specifics are deemed inaccurate.

Size. No comments were made on the size field.

Age. Delete "Significantly advanced age for this species (known or estimated)" as the only methods available to know the tree age would be destructive to the tree. A discussion was held on including fields that indicate the tree's life cycle, e.g. juvenile, mature, or senescent, and to add "State age if known by providing documentation." Committee members stated that documentation such as a photograph, owner documentation, or other record could be a basis to substantiate the age.

Historical Association. Delete "cultural" from the sentence "Related to a historic or cultural..."

Ethnic appreciation. Change title to "Cultural, Ethnic or Religious Appreciation."

Neighborhood appreciation: Sentence following the title should read "Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, testimony, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character. Member Blair requested a future discussion on landmarking groupings of trees.

Profiled in a publication or other media. This field was determined to be fine as is.

High traffic area. Change the title to "Traffic calming value" and the description to "The tree is located in an area of high volume of vehicular, pedestrian or bike traffic with a potential traffic calming effect."

Low tree density. This field was determined to be fine as is.

Extends between multiple properties. Irrelevant topic—eliminate.

Accessible from public right of way. Change the title to include "Visible or" before "Accessible" and the description from "High visibility" to "High visibility and/or access from public property".

Important wildlife habitat. The description should include "This tree has a known relationship with a particular wildlife species and provides food, shelter, and nesting."

Interdependent group of trees. This field was determined to be fine as is.

Erosion control. This field was determined to be fine as is.

Wind or sound barrier: This field was determined to be fine as is.

Prominent landscape feature. This field was determined to be fine as is.

Character defining form. This field was determined to be fine as is.

Tree condition. This field was determined to be fine as is.

This agenda item was continued to the May 8 meeting so that additional members could be part of the discussion and vote. A copy of the Landmark Tree Evaluation Criteria with recommended revisions will be presented at the May 8 meeting for review.

6. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Committee Agenda and Documentation Due Dates. The Committee discussed and voted to revise current agenda and documentation due dates.

   Urban Forestry Specialist Ma reported that she is not always able to honor the ten day documentation due date requirement because in the case of landmark tree nominations, access to backyards is not available and documentation/public outreach correspondence is not received. Chair Boss stated that he would like to receive the landmark tree nomination forms in advance in order to have time to do a site visit, but that it would be acceptable to utilize standard requirements for sending out the agenda and other documentation.

   Upon Motion by Chair Boss and second by Member Sustarich the current meeting agenda and documentation ten-day due date requirements were revised to standard noticing requirements, and the nomination forms would maintain the ten-calendar day due date requirement. (AYES: Chair Boss, Members Blair and Sustarich) (Absent: Members Habert and Griswold.)

7. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members will discuss how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office.

   Urban Forestry Specialist Ma reported that the City Attorney's Office had advised that the Urban Forestry Council's Landmark Tree Resolution written findings have to be substantiated by fact, not just observations or hearsay. No other specific instructions were issued by the City Attorney's Office.

   Chair Boss asked that the Deputy City Attorney be invited to the May 8 meeting to provide additional information. Continued to the May 8 meeting.

8. **INFORMATION and DISCUSSION**: New Business. Urban Forestry Specialist Ma reported that Supervisor McGoldrick's Office is proposing a notification requirement for the Landmark Tree program. The proposal is that all property owners within a 300-foot radius of a landmark tree nomination be notified that a tree is being nominated and that there will be public hearings related to the tree. Ms. Ma stated that the Planning Department is administering this type of notification for certain kinds of permits and has an architect/developer of the project create the radius either in-house or hires a private company to mail notices. Ms. Ma indicated that she has inquired with the Planning Department about the time, cost, and staffing to administer the notification process. A discussion will be held with the Environment Department Director on this issue.

Chair Boss reported that the City is planning to cut down landmark quality trees because of an infrastructure project in Bernal Heights on Mayflower Street. Four large eucalyptus trees including a 3 ½ foot diameter eucalyptus out of a total of 15 trees would be cut down. It was stated that Mayflower Street is one of the last remaining dirt roads in the City and possibly the only tree-lined dirt road. Chair Boss indicated that the trees are a very prominent landscape feature and that he is working to petition the Board of Permit Appeals to reverse a hearing that went against saving the trees. It was reported that the trees are under the Department of Public Work's jurisdiction and that a tree hearing had been held on this issue.

9. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

10. **ADJOURNMENT.** The Landmark Tree Committee Meeting adjourned at 6:28 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, May 8, 2007 at 4:00 p.m., Room 421, City Hall.

Respectfully submitted by,

Monica Fish
Council Secretary

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; at the links by each agenda item, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org.**

Approved: May 8, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council
LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

8:30 a.m. msf
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Tuesday, May 8, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich.

Urban Forestry Specialist: Grace Ma

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of minutes of the April 10, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the April 10, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=59063.)

3. **DISCUSSION:** Public Outreach Letters for Landmarking of Trees (Continued from the April 10, 2007 Meeting). Committee Members will discuss assigning a Committee Member to write two public outreach letters, one addressed to the Board of Supervisors and Department Heads and one addressed to San Francisco Residents.

4. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Evaluation Criteria. The Committee will discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council. (Continued from the April 10, 2007 Meeting.) (Explanatory Document: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTciterarev50307.doc)

5. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members will discuss how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office. (Continued from the April 10, 2007 Meeting.)

6. **INFORMATION and DISCUSSION**: New Business/Future Agenda Items

7. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

8. **ADJOURNMENT.**

The next Landmark Tree Committee meeting will be held on Tuesday, June 12, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71

Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Know Your Rights Under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at **www.sfgov.org/ethics**.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179** (by following the links by each agenda item) or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting. Explanatory documents that are received after posting of this agenda will be available on the website or by request to the Council Secretary at the contact information listed above.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: May 3, 2007

URBAN FORESTRY COUNCIL
CRITERIA FOR LANDMARK TREE EVALUATION (DRAFT)

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the UFC has developed these criteria for evaluating potential landmark trees in San Francisco. When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would. Use comment sections, as appropriate, to explain or support evaluation. Attach sheets if more space is needed.

Rarity: Unusual species in San Francisco. Also consider rarity in San Francisco (region or ecological zone).

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced in age for this species.

Historical Association: Related to a historic building, site, street, person, event, etc.

Cultural appreciation: Particular value to certain cultural, ethnic or religious group in the city.

Neighborhood appreciation: Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Tree ? neighborhood character: Tree contributes significantly to neighborhood aesthetic.

Prominent landscape feature: A striking, and outstanding natural feature.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

Traffic calming value: Tree is located in an area that has a high volume of vehicular, pedestrian or bike traffic and has a potential traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Visible or Accessible from public right-of-way. High visibility and/or access from public property.

Important wildlife habitat: This type of tree has a know relationship with a particular wildlife species or it provides food, shelter, or nesting to specific known wildlife individuals.

Interdependent group of trees: This tree is an integral member of a group of trees, and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Character-defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard

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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES

Tuesday, May 8, 2007, 4:00 P.M.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich

Urban Forestry Specialist: **Grace Ma** **Council Secretary:** Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The Landmark Tree Committee meeting was called to order at 4:36 p.m. Present: Members Boss, Griswold and Sustarich; Excused: Member Blair.

2. **ACTION**: Adoption of minutes of the April 10, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon Motion by Chair Boss and second by Member Sustarich, the April 10, 2007 Meeting Minutes were approved without objection. (AYES: Chair Boss, Members Griswold and Sustarich) (Excused: Member Blair). Member Boss commented on page three of the minutes, "Planting defines neighborhood character. **Member Blair requested a future discussion on landmarking groupings of trees.**" Member Boss said he stated there would be a future discussion on landmarking groups of trees. He did not remember Member Blair requesting this discussion topic. (Explanatory Document: Approved Minutes of the April 10, 2007 Meeting http://sfgov.org/site/sfenvironment_page.asp?id=59063.)

3. **DISCUSSION:** Public Outreach Letters for Landmarking of Trees (Continued from the April 10, 2007 Meeting).

Member David Habert worked on the public outreach letters but he resigned from the Landmark Tree Committee before creating a final draft of the letters. One letter was intended for the public and one letter was intended for Supervisors and heads of city agencies/departments. The Committee discussed the importance of developing and distributing the outreach letters. Member Boss thought the letters could be useful but he wanted to focus on streamlining the current landmark tree process through the forms, criteria, and web site. He said it was important to help motivated nominators with outstanding trees get through the process before approaching a larger audience.

Member Griswold questioned the effectiveness and importance of contacting a large number of people about the landmark tree program. Member Boss and Griswold were concerned about the quality and quantity of trees that could result from a large mailing if an agency or company like PG&E agreed to publicize the landmark tree program within their existing mailings. All the Committee members agreed that the letters could be a useful outreach tool. Member Boss tabled this discussion topic until someone takes charge of this project and writes or revises the letters.

4. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Evaluation Criteria. The Committee discussed redefining landmark tree evaluation criteria. No action was taken at this time. (Continued from the April 10, 2007 Meeting.) (Explanatory Document: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc)

   Committee members discussed the Landmark Tree Evaluation Criteria with revisions from the April 10, 2007 meeting. Member Boss distributed paper copies of a web page called "Defining special trees: heritage, historic and landmark trees" from the Phytosphere consulting group's web site phytosphere.com http://www.phytosphere.com/treeord/heritage.htm. Members Griswold and Sustarich expressed interest in reading the document more closely and discussing it at the next meeting. Committee members discussed several aspects of the Landmark Tree Criteria.

   Members discussed the rarity criteria. Member Griswold wanted to keep the original language that considers rarity in California, United States and the world. Member Boss thought the focus should be on rarity in San Francisco since that is the scope of the Urban Forestry Council's work. Member Sustarich suggested only keeping the first sentence, "Unusual species in San Francisco." He thought people could still make the case that a tree is rare in different geographical regions (neighborhood within San Francisco, nationally, world). In the absence of a complete tree inventory in San Francisco, Member Boss suggested compiling species lists from city agencies, private arborists and Friends of the Urban Forest. Member Boss thought this group could meet informally outside of the Landmark Tree Committee and then share their findings with the Committee. We discussed how Urban Forestry Council members could participate but there could not be a quorum.

   Members discussed ecological value. It is one of the recommended criteria on the Phytosphere document. Member Boss thought several of the existing criteria could be grouped under the heading of "ecological value": important wildlife habitat; interdependent group of trees; erosion control; wind or sound barrier. Member Boss thought some of these criteria were hard to ascertain or weak and he thought grouping them would be better. Members mentioned that trees prevent soil erosion but it is hard to know the significance unless a large tree is supporting a steep hillside. Trees filter sound rather than blocking it,

which makes noise more tolerable. However, it is hard to know if an area would be noisier without the presence of a tree unless there is a long-time resident who can attest to a noticeable difference.

Members discussed the significance of native tree species. Member Boss thought this could fit into an existing category like rarity, historical association or ecological value. There are not many native tree species in San Francisco. Native trees are part of San Francisco's natural history. Native trees interact with native fauna and flora and have an important role in San Francisco's ecosystem. Another idea is renaming the "rarity" criteria to be "species" instead. Committee members did not reach a conclusion about how to clearly incorporate native tree species into the landmark tree criteria.

Members discussed aesthetics. Member Boss thought a new category called "aesthetics" could combine two existing criteria: prominent landscape feature and character-defining form.

Ms. Ma mentioned that the International Society of Arboriculture also has some guidelines on heritage tree designation.

5. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members discussed how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office. (Continued from the April 10, 2007 Meeting.)

   Staff member Grace Ma said she talked with Deputy City Attorney Francesa Gessner about this issue. Ms. Gessner did not attend the meeting because she and Ms. Ma thought the discussion would be straightforward. Deputy City Attorney John Malamut wrote an email about the Board of Supervisors needing written findings when voting on landmark tree designations. Written findings could include nomination documents, public letters, petitions, staff reports, Landmark Tree Committee report and resolution (when the Council passes a resolution regarding a nomination). The Urban Forestry Council has fulfilled its responsibility of forwarding documents related to landmark tree nominations to the Board of Supervisors.

   The Committee previously had some questions about the kind of information that people could submit to show that a tree met landmark tree criteria. For example, someone observes a bird in a nominated landmark tree and reports this as public testimony to the Landmark Tree Committee. If the Committee thinks the person is credible, they would accept the public testimony as valid without a written document. The Committee would include this in the Chair's report and the Urban Forestry Council would cite this in a resolution if they pass one in support of a nomination.

6. **INFORMATION and DISCUSSION**: New Business/Future Agenda Items.

   There was no new business. Future agenda item: Landmark Tree Evaluation Criteria. Committee members will continue discussing the Landmark Tree Criteria and may vote on recommendations for revising the criteria to present to the Urban Forestry Council. The Phytosphere Guidelines for Developing and Evaluating Tree Ordinances should be one of the explanatory documents.

7. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. No members of the public attended this meeting.

8. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 5:05 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, June 12, 2007 at 4:00 p.m., Room 421, City Hall.

As Transcribed by,

Grace Ma
Urban Forestry Specialist

Respectfully submitted by,

Monica Fish
Council Secretary

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Approved:

SF Environment
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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT

URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES - CORRECTED

SF
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corrected

Tuesday, May 8, 2007, 4:00 P.M.

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One Dr. Carlton B. Goodlett Place
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which makes noise more tolerable. However, it is hard to know if an area would be noisier without the presence of a tree unless there was a scientific study.
Members discussed the significance of native tree species. Member Boss thought this could fit into an existing category like rarity, historical association or ecological value. There are not many native tree species in San Francisco. Native trees are part of San Francisco's natural history. Native trees interact with native fauna and flora and have an important role in San Francisco's ecosystem. Another idea is renaming the "rarity" criteria to be "species" instead. Committee members did not reach a conclusion about how to clearly incorporate native tree species into the landmark tree criteria.

Members discussed aesthetics. Member Boss thought a new category called "aesthetics" could combine two existing criteria: prominent landscape feature and character-defining form.

Ms. Ma mentioned that the International Society of Arboriculture also has some guidelines on heritage tree designation.

5. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members discussed how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office. (Continued from the April 10, 2007 Meeting.)

   Staff member Grace Ma said she talked with Deputy City Attorney Francesa Gessner about this issue. Ms. Gessner did not attend the meeting because she and Ms. Ma thought the discussion would be straightforward. Deputy City Attorney John Malamut wrote an email about the Board of Supervisors needing written findings when voting on landmark tree designations. Written findings could include nomination documents, public letters, petitions, staff reports, Landmark Tree Committee report and resolution (when the Council passes a resolution regarding a nomination). The Urban Forestry Council has fulfilled its responsibility of forwarding documents related to landmark tree nominations to the Board of Supervisors.

   The Committee previously had some questions about the kind of information that people could submit to show that a tree met landmark tree criteria. For example, someone observes a bird in a nominated landmark tree and reports this as public testimony to the Landmark Tree Committee. If the Committee thinks the person is credible, they would accept the public testimony as valid without a written document. The Committee would include this in the Chair's report and the Urban Forestry Council would cite this in a resolution if they pass one in support of a nomination.

6. **INFORMATION and DISCUSSION**: New Business/Future Agenda Items.

   There was no new business. Future agenda item: Landmark Tree Evaluation Criteria. Committee members will continue discussing the Landmark Tree Criteria and may vote on recommendations for revising the criteria to present to the Urban Forestry Council. The Phytosphere Guidelines for Developing and Evaluating Tree Ordinances should be one of the explanatory documents.

7. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. No members of the public attended this meeting.

8. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 5:05 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, June 12, 2007 at 4:00 p.m., Room 421, City Hall.

As Transcribed by,

Grace Ma
Urban Forestry Specialist

Respectfully submitted by,

Monica Fish
Council Secretary

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=47179**; at the links by each agenda item, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Approved:

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
APPROVED MINUTES

SF
E84.96
#2
5/8/07
approved

Tuesday, May 8, 2007, 4:00 P.M.

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City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich

Urban Forestry Specialist: **Grace Ma** **Council Secretary:** Monica Fish

ORDER OF BUSINESS

1. **CALL TO ORDER AND ROLL CALL.** The Landmark Tree Committee meeting was called to order at 4:36 p.m. Present: Members Boss, Griswold and Sustarich; Excused: Member Blair.

2. **ACTION**: Adoption of minutes of the April 10, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. Upon Motion by Chair Boss and second by Member Sustarich, the April 10, 2007 Meeting Minutes were approved without objection. (AYES: Chair Boss, Members Griswold and Sustarich) (Excused: Member Blair). Member Boss commented on page three of the minutes, "Planting defines neighborhood character. **Member Blair requested a future discussion on landmarking groupings of trees.**" Member Boss said he stated there would be a future discussion on landmarking groups of trees. He did not remember Member Blair requesting this discussion topic. (Explanatory Document: Approved Minutes of the April 10, 2007 Meeting http://sfgov.org/site/sfenvironment_page.asp?id=59063.)

3. **DISCUSSION:** Public Outreach Letters for Landmarking of Trees (Continued from the April 10, 2007 Meeting).

Member David Habert worked on the public outreach letters but he resigned from the Landmark Tree Committee before creating a final draft of the letters. One letter was intended for the public and one letter was intended for Supervisors and heads of city agencies/departments. The Committee discussed the importance of developing and distributing the outreach letters. Member Boss thought the letters could be useful but he wanted to focus on streamlining the current landmark tree process through the forms, criteria, and web site. He said it was important to help motivated nominators with outstanding trees get through the process before approaching a larger audience.

Member Griswold questioned the effectiveness and importance of contacting a large number of people about the landmark tree program. Member Boss and Griswold were concerned about the quality and quantity of trees that could result from a large mailing if an agency or company like PG&E agreed to publicize the landmark tree program within their existing mailings. All the Committee members agreed that the letters could be a useful outreach tool. Member Boss tabled this discussion topic until someone takes charge of this project and writes or revises the letters.

4. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Evaluation Criteria. The Committee discussed redefining landmark tree evaluation criteria. No action was taken at this time. (Continued from the April 10, 2007 Meeting.) (Explanatory Document: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc)

   Committee members discussed the Landmark Tree Evaluation Criteria with revisions from the April 10, 2007 meeting. Member Boss distributed paper copies of a web page called "Defining special trees: heritage, historic and landmark trees" from the Phytosphere consulting group's web site phytosphere.com http://www.phytosphere.com/treeord/heritage.htm. Members Griswold and Sustarich expressed interest in reading the document more closely and discussing it at the next meeting. Committee members discussed several aspects of the Landmark Tree Criteria.

   Members discussed the rarity criteria. Member Griswold wanted to keep the original language that considers rarity in California, United States and the world. Member Boss thought the focus should be on rarity in San Francisco since that is the scope of the Urban Forestry Council's work. Member Sustarich suggested only keeping the first sentence, "Unusual species in San Francisco." He thought people could still make the case that a tree is rare in different geographical regions (neighborhood within San Francisco, nationally, world). In the absence of a complete tree inventory in San Francisco, Member Boss suggested compiling species lists from city agencies, private arborists and Friends of the Urban Forest. Member Boss thought this group could meet informally outside of the Landmark Tree Committee and then share their findings with the Committee. We discussed how Urban Forestry Council members could participate but there could not be a quorum.

   Members discussed ecological value. It is one of the recommended criteria on the Phytosphere document. Member Boss thought several of the existing criteria could be grouped under the heading of "ecological value": important wildlife habitat; interdependent group of trees; erosion control; wind or sound barrier. Member Boss thought some of these criteria were hard to ascertain or weak and he thought grouping them would be better. Members mentioned that trees prevent soil erosion but it is hard to know the significance unless a large tree is supporting a steep hillside. Trees filter sound rather than blocking it,

which makes noise more tolerable. However, it is hard to know if an area would be noisier without the presence of a tree unless there was a scientific study.
Members discussed the significance of native tree species. Member Boss thought this could fit into an existing category like rarity, historical association or ecological value. There are not many native tree species in San Francisco. Native trees are part of San Francisco's natural history. Native trees interact with native fauna and flora and have an important role in San Francisco's ecosystem. Another idea is renaming the "rarity" criteria to be "species" instead. Committee members did not reach a conclusion about how to clearly incorporate native tree species into the landmark tree criteria.

Members discussed aesthetics. Member Boss thought a new category called "aesthetics" could combine two existing criteria: prominent landscape feature and character-defining form.

Ms. Ma mentioned that the International Society of Arboriculture also has some guidelines on heritage tree designation.

5. **DISCUSSION:** Landmark Tree Resolution Written Findings and Supporting Documentation. Committee Members discussed how to fulfill the requirement for substantiating Landmark Tree Resolution Findings with factual data for transmittal to the Clerk of the Board's Office. (Continued from the April 10, 2007 Meeting.)

   Staff member Grace Ma said she talked with Deputy City Attorney Francesa Gessner about this issue. Ms. Gessner did not attend the meeting because she and Ms. Ma thought the discussion would be straightforward. Deputy City Attorney John Malamut wrote an email about the Board of Supervisors needing written findings when voting on landmark tree designations. Written findings could include nomination documents, public letters, petitions, staff reports, Landmark Tree Committee report and resolution (when the Council passes a resolution regarding a nomination). The Urban Forestry Council has fulfilled its responsibility of forwarding documents related to landmark tree nominations to the Board of Supervisors.

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6. **INFORMATION and DISCUSSION**: New Business/Future Agenda Items.

   There was no new business. Future agenda item: Landmark Tree Evaluation Criteria. Committee members will continue discussing the Landmark Tree Criteria and may vote on recommendations for revising the criteria to present to the Urban Forestry Council. The Phytosphere Guidelines for Developing and Evaluating Tree Ordinances should be one of the explanatory documents.

7. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. No members of the public attended this meeting.

8. **ADJOURNMENT.** The Landmark Tree Committee meeting adjourned at 5:05 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, June 12, 2007 at 4:00 p.m., Room 421, City Hall.

As Transcribed by,

Grace Ma
Urban Forestry Specialist

Respectfully submitted by,

Monica Fish
Council Secretary

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Approved: August 14, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco

Urban Forestry Council
LANDMARK TREE COMMITTEE

Regular Meeting Notice and Agenda

11:30 a.m. msf
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Tuesday, June 12, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich.

Urban Forestry Specialist: Grace Ma **Council Secretary:** Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **CALL TO ORDER AND ROLL CALL**

2. **ACTION**: Adoption of Minutes of the May 8, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting. (Explanatory Document: Draft Minutes of the May 8, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=60638.)

3. **DISCUSSION and POSSIBLE ACTION:** Landmark Tree Evaluation Criteria. The Committee will continue to discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council. (Continued from the May 8, 2007 Meeting.) (Explanatory Documents: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.)

4. **INFORMATION and DISCUSSION**: New Business/Future Agenda Items

5. **PUBLIC COMMENT**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

6. **ADJOURNMENT.**

The next Landmark Tree Committee meeting will be held on Tuesday, July 10, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

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Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at **www.sfgov.org/ethics**.

Other Important Information

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When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Grace Ma, Urban Forestry Council Associate
TEL: (415) 355-3731

Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: June 6, 2007

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
CANCELLED MEETING MINUTES

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Tuesday, June 12, 2007, 4:00 P.M.

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City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich

Urban Forestry Specialist: Grace Ma **Council Secretary:** Monica Fish

The Tuesday, June 12, 2007, 4:00 p.m. Regular Meeting of the Urban Forestry Council's Landmark Tree Committee was cancelled due to a lack of quorum. The next Regular Meeting will be scheduled for Tuesday, July 10, 2007 at 4:00 p.m., in Room 421, City Hall. An agenda will be prepared and distributed at least 72 hours prior to the meeting. If you have any questions, please contact the Council Secretary at (415) 355-3709. You may also visit our website at http://sfgov.org/site/sfenvironment_meeting.asp?id=61012.

Respectfully submitted by,

Monica Fish, Council Secretary

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

City and County of San Francisco
Urban Forestry Council
LANDMARK TREE COMMITTEE
Regular Meeting Notice and Agenda

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Tuesday, July 10, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich.

Council Secretary: Monica Fish

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Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **Call to Order and Roll Call**

2. **Adoption of Minutes of the May 8, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting**. (Discussion and Action) Explanatory Document: Draft Minutes of the May 8, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=60638.)

3. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council. (Discussion and Possible Action) (Continued from the May 8, 2007 Meeting) (Explanatory Documents: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.)

4. **Public Outreach Plan for Landmarking of Trees** (Discussion).

4. **New Business/Future Agenda Items** (Information and Discussion).

5. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

6. **Adjournment.**

The next Landmark Tree Committee meeting will be held on Tuesday, August 14, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

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Monica Fish, Council Secretary
TEL: (415) 355-3709

Posted: July 5, 2007

URBAN FORESTRY COUNCIL
CRITERIA FOR LANDMARK TREE EVALUATION (DRAFT)

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the UFC has developed these criteria for evaluating potential landmark trees in San Francisco. When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would. Use comment sections, as appropriate, to explain or support evaluation. Attach sheets if more space is needed.

Rarity: Unusual species in San Francisco. Also consider rarity in San Francisco (region or ecological zone).

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced in age for this species.

Historical Association: Related to a historic building, site, street, person, event, etc.

Cultural appreciation: Particular value to certain cultural, ethnic or religious group in the city.

Neighborhood appreciation: Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Tree ? neighborhood character: Tree contributes significantly to neighborhood aesthetic.

Prominent landscape feature: A striking, and outstanding natural feature.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

Traffic calming value: Tree is located in an area that has a high volume of vehicular, pedestrian or bike traffic and has a potential traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Visible or Accessible from public right-of-way. High visibility and/or access from public property.

Important wildlife habitat: This type of tree has a know relationship with a particular wildlife species or it provides food, shelter, or nesting to specific known wildlife individuals.

Interdependent group of trees: This tree is an integral member of a group of trees, and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Character-defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard

Return to Provision 31

Guidelines for Developing and Evaluating Tree Ordinances

Defining special trees: heritage, historic, and landmark trees

As noted in our discussion of provision 31, individual trees may be considered important community resources because of unique or noteworthy characteristics or values. Such trees have been described in ordinances as heritage, historic, landmark, legacy, special interest, significant, or specimen trees or various permutations of these terms (e.g., heritage oak, exceptional specimen tree). In some ordinances, trees are simply labeled protected trees (i.e., trees afforded protection by the ordinance). Regardless of the term used, the concept is the same: trees with certain characteristics are singled out for special consideration in the ordinance. Most commonly, one or more of the following criteria are used to define a special status tree:

Size - Some component of tree size, most frequently trunk diameter, may be used to define a special status tree. Most commonly, a given diameter at 4.5 ft above grade (i.e., diameter at breast height or DBH) is used as the size standard. Additional rules are typically needed to handle trees that are multi-trunked or branch below 4.5 ft. Because the relationships between DBH and canopy spread or DBH and tree age vary by species, different tree diameter standards may be applied to different species.

Although a tree diameter standard is fairly objective, the threshold diameter is often set more or less arbitrarily. As such, management decisions based solely on a threshold diameter may not be particularly logical. For example, if the threshold diameter for protecting a tree is 24 inches DBH, a tree with a diameter of 23.9 inches would be ignored, even though it might have a greater canopy spread than a tree with a larger DBH. Furthermore, the measurement of DBH with standard equipment such as diameter tapes or calipers is subject to errors related to trunk or bark irregularities and minor shifts in the location of the measuring device. A tree with a DBH measured as 24.2 inches by one observer could be measured at 23.5 inches by another observer. These problems are minimized when small threshold diameters (e.g., 3 inches) are used.

Other components of tree size, such as maximum canopy spread or height, may also be considered independently or in conjunction with tree diameter. The National Register of Big Trees, maintained by American Forests, uses a point system to rate tree size. Points for each tree are calculated by summing trunk circumference (at 4.5 ft) in inches, tree height in feet, and one-quarter of the average crown spread in feet. This system is used to determine "champion" trees for each species. Some ordinances expressly confer special tree status on state or national champion trees. More local "champion" trees could be defined using the same methods.

Species - Special status may be conferred only to certain species of trees. Special status trees are often, but not always, important locally native species or trees that are associated with the character of a community. Certain species that are relatively rare in an area, whether native or not, may also be granted special status. In some cases, species is used to specifically exempt certain trees from special status regardless of size. For instance, weedy trees such as tree-of-heaven (*Ailanthus altissima*) or trees used for commercial purposes (e.g., fruit trees, plantation lumber or pulp trees) may be excluded from

consideration as special status trees. Unless interspecific hybrids are present in an area or the taxonomy of a species changes, species is probably the most objective criterion used in defining special status trees.

Age - Especially old trees are a link to the past, so many definitions of special status trees include age as a criterion. In practice, tree age is fairly difficult to determine in standing trees unless documentation of tree age exists from historical accounts, photographs, or associations with historical structures. Tree age is sometimes inferred from tree size, especially DBH. However, the relationship between age and DBH varies with species, site quality, management history, and other factors, so DBH is usually only a crude estimator of tree age. Determining age by increment boring is theoretically possible, but is potentially damaging to the tree and is fraught with difficulties if trees are large, have very hard wood, or are decayed in the center.

Historic significance - A tree may be associated with a notable local or regional historical event, person, structure, or landscape. Almost every tree that has been around for a while has some historical significance, whether it is recognized or not. Determining whether the historical significance of a given tree is sufficiently notable is therefore a subjective matter. Historic tree status is typically granted by a governing (e.g., city council) or advisory body (e.g., tree commission). Some ordinances automatically confer historic status on trees designated as historical landmarks by certain other organizations (e.g., historical societies). In addition, ordinances may assign special status to trees dedicated or planted as public memorials.

Ecological value - All trees serve a variety of ecological functions. Certain trees or groups of trees may have especially high ecological value because of their location, size, species, and/or condition. For example, a given tree may be an important roost, nesting site, or food source for certain wildlife species; it may be situated in a site where it plays a critical role in stabilizing soil or providing shade needed by other plant or animal species; it may be an important genetic resource for a local tree population or the species as a whole. Input from trained biologists and ecologists may be necessary to document particular ecological values that may not be obvious to the general public.

Aesthetics - Since beauty is in the eye of the beholder, assigning special status on the basis of aesthetics is always highly subjective. A tree may have special aesthetic value due to its form, whether it is especially perfect and symmetrical or notably craggy and idiosyncratic. Also, the function that a tree serves in a landscape may be sufficient to justify special status; for example, a landmark pair of trees that frame an entrance. In the absence of other noteworthy characteristics, it may be contentious to base special status upon aesthetics alone.

Location - Trees in particular locations may be accorded special status in recognition of the important aesthetic or ecological functions that they serve. Proximity to a thoroughfare can be used to classify a tree as a street tree, which may be accorded special status whether or not it is in the public right-of-way or is under public or private care. Trees located along or within a set distance from watercourses may also be give special status due to their importance in stabilizing streambanks or providing shaded riverine habitat. In some cases, the location of a tree is considered in conjunction with size or species parameters.

Required plantings and retained trees - If trees are have been preserved or planted as a requirement of development, the community has a vested interest to ensure that the trees are protected. The purpose of planting and tree retention is to develop mature tree canopy, and this cannot occur if the subject trees are eliminated, ruined by topping or other poor maintenance practices, or replaced frequently with young trees. By explicitly providing special status to such trees in the ordinance, a jurisdiction may be able to provide a higher level of regulatory protection to such trees and increase the penalties associated with

unauthorized damage to or removal of the tree.

Other unique characteristics - This grab-bag term may be added to the list of criteria used to designate special status trees because it is difficult to anticipate all possible situations of significance. For example, a given tree may become a local or regional cultural icon due to an event or apparition that is associated with it. This criterion will again be subjective and typically may be invoked through the approval of a governing body.

Because each criterion above has clear limitations and difficulties, most definitions include a combination of criteria. The following definition include examples of many of the criteria discussed above.

> *Protected tree includes all of the following:*
>
> *(1)Private protected tree means any tree with a DBH of six inches or more located on any lot within twenty feet of a street right-of-way (including an approved private street or other access easement) or a tree with a DBH of eight inches or more located within ten feet of any other property line, or a tree with a DBH of twelve inches or more located elsewhere on the lot.*
>
> *(2)Public protected tree means any tree located on lands owned by the city, or other governmental agencies or authorities, or any land upon which easements are imposed for the benefit of the city, or other governmental agencies or authorities, or upon which other ownership control may be exerted by the city, or other governmental agencies or authorities, including rights-of-way, parks, public areas and easements for drainage, sewer, water and other public utilities, with:*
>
> > *(i) A DBH of six inches or more located within a city or other governmental right-of-way, or*
> > *(ii) A DBH of six inches or more and located on any lot within twenty feet of a street right-of-way, or*
> > *(iii) A DBH of eight inches or more located on any lot within ten feet of any other property line, or*
> > *(iv) A DBH of twelve inches or more located elsewhere on the lot.*
>
> *(3) Exceptional specimen tree means any tree which is determined by the City Council to be of unique and intrinsic value to the general public because of its size, age, historic association or ecological value or any tree designated a Florida State Champion, United States Champion or World Champion by the American Forestry Association. The Chief shall keep a record of all specimen trees so designated and their location.*
>
> [Jacksonville, FL: Ordinance code Title XVII, Section 656.1203bb]

As noted in provision 31, special tree status is best targeted at individual trees, typically in areas that do not have natural stands of trees. When stands of trees or patches of forest or woodland are the topic of concern, the approach described in provision 32 (forest and woodland conservation) may be more

appropriate.

Return to Provision 31 | Tree ordinance web site map

ISA home page | Submit comments or suggestions

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

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City and County of San Francisco
Urban Forestry Council

Landmark Tree Committee

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NOTICE OF CANCELLED MEETING
Tuesday, July 10, 2007, 4:00 p.m.
Room 421, City Hall

The Tuesday, July 10, 2007, 4:00 p.m. Regular Meeting of the Urban Forestry Council's Landmark Tree Committee has been cancelled due to a lack of quorum. The next Regular Meeting is scheduled for Tuesday, August 14, 2007 at 4:00 p.m. at City Hall, Room 421, One Dr. Carlton B. Goodlett Place in San Francisco. An agenda will be prepared and distributed at least 72 hours prior to the meeting. If you have any questions, please contact the Council Secretary at (415) 355-3709. You may also visit our website at http://sfgov.org/site/sfenvironment_meeting.asp?id=61012 for additional meeting information.

Respectfully submitted by,

Monica Fish, Council Secretary

Posted: July 6, 2007

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco
Urban Forestry Council
LANDMARK TREE COMMITTEE
Regular Meeting Notice and Agenda

Tuesday, August 14, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich.

Council Secretary: Monica Fish

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **Call to Order and Roll Call**

2. **Adoption of Minutes of the May 8, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting.** (Discussion and Action) Explanatory Document: Draft Minutes of the May 8, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=60638.)

3. **Coast Live Oak Tree at 4124 – 23rd Street.** The Landmark Tree Committee will discuss and vote to recommend their findings to substantiate the property owner's landmark tree nomination at this site (Discussion and Action) (Explanatory Document: Nomination Form (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeNominationForm.pdf)

   SPONSOR & SPEAKER: Council Chair Terry Milne

4. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council. (Discussion and Possible Action) (Continued from the May 8, 2007 Meeting) (Explanatory Documents: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.)

5. **Outreach Plan for Landmarking of Trees** (Discussion).

6. **New Business/Future Agenda Items** (Information and Discussion).

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

8. **Adjournment.**

The next Landmark Tree Committee meeting will be held on Tuesday, September 11, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at **www.sfgov.org/ethics**.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=61012** (by following the links by each agenda item), by following the links by each agenda item above, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting. Explanatory documents that are received after posting of this agenda will be available on the website or by request to the Council Secretary at the contact information listed above.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Monica Fish, Council Secretary
TEL: (415) 355-3709; FAX: 415-554-6393

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- An authorized nominator is a Supervisor, head of a City department or agency, Planning Commissioner, Landmarks Preservation Advisory Board member, or property owner.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
- A property owner may nominate a tree on his or her property.
- A member of the public may ask an authorized nominator to nominate a tree.

I am one of the following authorized nominators

☒ Property owner
☐ Board of Supervisor member
☐ Head of a city department or agency
☐ Planning Commission member
☐ Landmarks Preservation Advisory Board member

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Property owner:	Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department/Agency):
Robert and Susan Call Name	Name
4124 23rd Street Address	Address
San Francisco, CA 94114 Address	Address
415.823.8666 Phone (day)	Phone (day)
415.433.5015 Fax #	Fax #
robertcall@mindspring.com Email	Email

Received by the UFC 8-8-07

I am the property owner or an authorized nominator and I support this nomination.

Robert h Lace Signature

August 2, 2007 Date

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

Robert h. Lace Signature

August 2, 2007 Date

TREE DESCRIPTION

Tree name (species and common name): *Quercus agrifolia*, coast live oak

Number of trees: One

Street address: 4124 23rd Street

Location of Tree: ☐ Front yard ☒ Rear yard ☐ Side yard ☐ Corner-side yard

☐ Public right-of-way ☐ Public lands ☐ Not sure

☐ Other: ____

GPS units (OPTIONAL): ____

Height 35 - 40 feet

Average canopy width[1] 50 feet

Circumference at chest level[2] 95 inches

Circumference at ground level[3] 110 inches

[1] Distance from one edge to opposite edge of tree canopy

[2] Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx

[3] Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. Please check the applicable criteria boxes and provide additional information about each component. If you need more space to describe the tree, please attach additional sheets.

Species

- ☒ Rare

Size or Age

- ☒ Greater than typical mature size or age

Cultural/Historical Value

- ☐ Significant historical or cultural association with person, place, event
- ☐ Significant ethnic appreciation
- ☒ Neighborhood appreciation of tree
- ☐ Part of planting that defines neighborhood character
- ☐ Profiled in a publication or other media

Key Location

- ☐ High traffic area
- ☒ Low tree density area
- ☒ Extends between several properties
- ☐ Visually accessible from public right-of-way

Ecology
- ☒ Important wildlife habitat
- ☐ Part of interdependent group of trees
- ☒ Erosion control
- ☒ Wind or sound barrier

Visual characteristic
- ☒ Prominent landscape feature
- ☒ Character defining form

Tree Condition

☒ No apparent problems ☐ Minor problems ☐ Major problems ☐ Extreme problems

Tree Condition
- ☐ Root issues
- ☐ Mushrooms (trunk or base of tree)
- ☐ Trunk wounds or cracks
- ☐ Trunk cavities
- ☐ Broken or dead branches
- ☐ Crowded or crossing branches
- ☐ Pest or disease problem
- ☐ Previous construction that may have damaged tree

Describe how/why the tree has historical importance due to an association with a building, structure, site, street, person or event.

Describe how/why the tree has cultural, social and/or historical importance.

The tree has the physical characteristics for landmark status, and is an outstanding specimen of one of California's iconic trees. It is unusual to find such a magnificent tree in an urban back yard.

Describe how/why the tree is a defining or meaningful feature of a neighborhood.

Although it is not visible from the street, the tree is a notable feature in the views of many neighbors both on 23rd and on Alvarado Streets.

Describe how/why the tree has ecological value like wildlife habitat and erosion control.

The tree is in good health and serves as a home for birds, while preventing erosion on a fairly steep hill.

Describe any tree health or structure issues.

Several experts have told us the tree is healthy and viable..

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

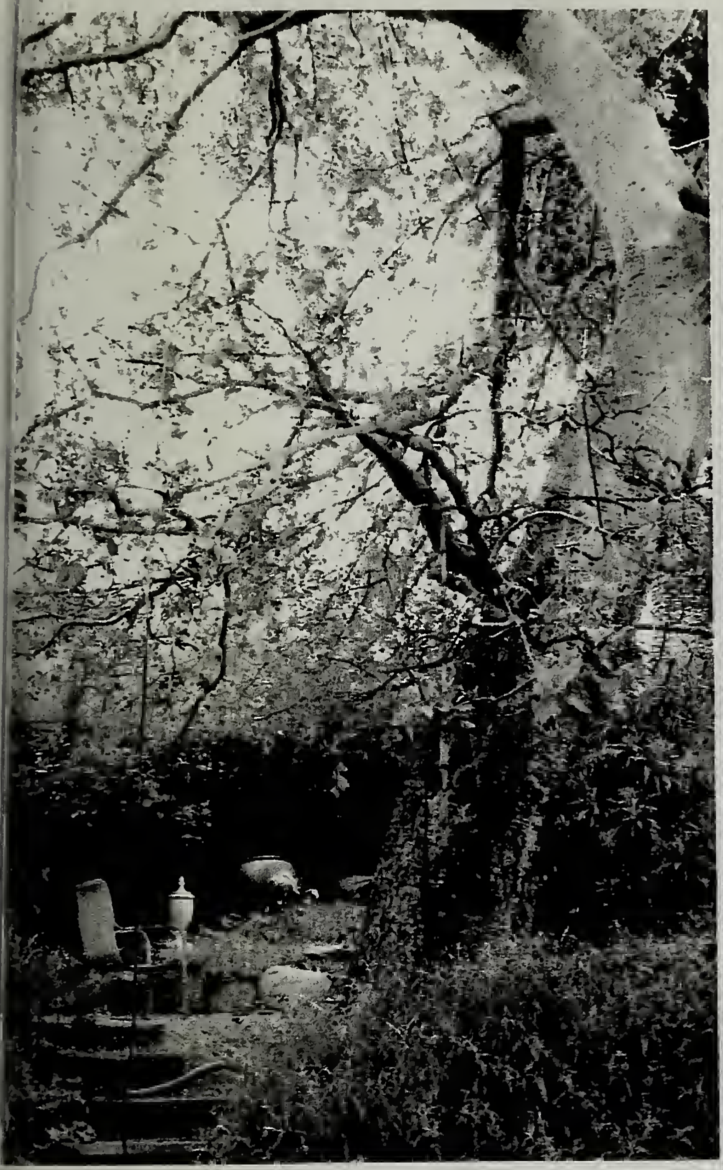
Please attach **optional** supporting documents such as letters, arborist report, etc.

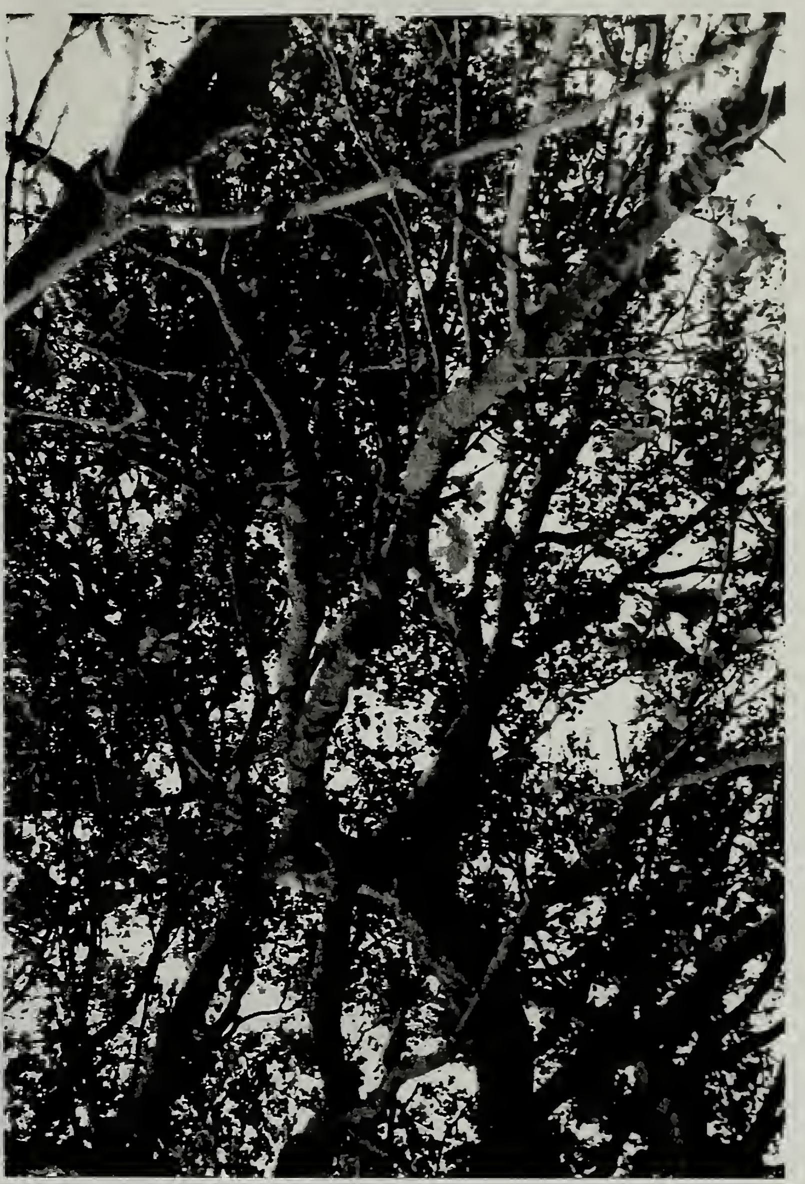
Send to: Attn: Landmark Tree Nomination, 11 Grove Street, San Francisco, CA 94102
OR environment@sfgov.org

Any information you submit will be part of the public record.
The Public Records Act defines a "public record" broadly to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Govt. Code § 6252(e). The Sunshine Ordinance defines "public information" as the content of "public records" as defined in the Public Records Act. Admin Code § 67.20(b). Pursuant to the Public Records Act and Sunshine Ordinance, this document is a public record and will be available to the public upon request, at the hearing site, at the San Francisco Main Library, and on the Urban Forestry Council's website. Admin Code §§ 8.16, 67.7 (b), and 67.21(a).

FOR STAFF USE ONLY

Application received date	____________	Received by	____________
Tree evaluation form	____________	UFC recommendation date	____________
Board of Supervisors Decision	____________		
Landmark Tree #	____________		
Title recorded date	____________		





Monica

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Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES

Tuesday, August 14, 2007, 4:00 p.m.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The meeting was called to order at 4:05 p.m. Present: Chair Boss, Members Blair, Griswold and Sustarich.

2. **Adoption of Minutes of the May 8, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting** (Discussion and Action). Upon Motion by Chair Boss and second by Member Sustarich, the May 8, 2007 Meeting Minutes were approved (AYES: Chair Boss, Members Blair, Griswold and Sustarich) (Explanatory Document: Draft Minutes of the May 8, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=60638.)

3. **Coast Live Oak Tree at 4124 – 23rd Street.** The Landmark Tree Committee will discuss and vote to recommend their findings to substantiate the property owner's landmark tree nomination at this site (Discussion and Action) (Explanatory Document: Nomination Form (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeNominationForm.pdf)

SPONSOR & SPEAKER: Council Chair Terry Milne

Council Chair Milne introduced the property owner and nominator of the landmark tree nomination, Mr. Robert Call. It was explained that this tree was originally nominated by Supervisor Dufty's office, but the statutory time limit for the hearing to take place had expired without further action. However, since the property owner has now nominated the tree, the City Attorney's Office has advised that the Urban Forestry Council is able to hold a hearing. Chair Milne requested that the

Landmark Tree Committee/Urban Forestry Council provide written findings to the Board of Supervisors on how this tree would qualify for landmark tree status.

Mr. Robert Call reported that he has lived at 4124 – 23rd Street for 20 years and believes the tree is approximately 100 years old. The tree covers all of his backyard and the adjoining property's. The adjoining property owner is in the process of doing construction work that may affect the health of the tree. Mr. Call had requested that Supervisor Dufty nominate the tree for landmark status, which he did, but it was never acted upon. A meeting was held at the site where the tree is located with Department of Public Work representatives, the Department of Building Inspection, and the adjoining property owner, at which time everyone agreed that the tree should be protected.

Mr. Call was asked to describe why the tree merits landmark tree status. Mr. Call stated that the tree is a privacy screen, bird habitat, is a great tree and should be preserved. Pictures from different vantage points were distributed to the members. It was stated that the tree is visible and notable from several locations.

Chair Boss reported that he had visited the tree and purely on the basis of its size and species, it is worthy of landmark tree status and that he would support its nomination. He suggested to Mr. Call that letters or a petition showing neighborhood support for the tree would add credibility to the nomination. Chair Boss also suggested that providing written documentation from arborists, if available, stating the approximate age and size of the tree would add credibility to the nomination. It was stated that the pictures on the tree's visibility from so many diverse and far away places serve as support and recommended that the pictures be included.

Council Chair Milne asked if there is an estimate on the geometry of where the property line is, where the neighbor's construction is, and where the tree is. Mr. Call stated that the tree is about eight feet from his side of the property line. It was explained that the adjoining property owner wanted to trench from property line to property line, which he did not do; however, significant trenching has been done against the adjoining property owner's own landscape designs and arborist's advice. Mr. Call stated that most of the significant roots are on his property, but that there are significant roots that extend onto the adjoining property owner's. Council Chair Milne indicated that it sounds as if the viability of the tree might not be threatened at this point. Mr. Call stated that the Native Oak Society advised not to disturb the roots in order to preserve the health of the tree. Chair Boss stated that the subject of trenching would be irrelevant to the landmark quality of the tree.

Upon Motion by Chair Boss and second by Member Sustarich, the Landmark Tree Committee approved the nomination of the coast live oak tree located at 4124 – 23rd Street for landmark tree status with findings that include: (1) it is an uncommon species in San Francisco, (2) significantly large with a majestic canopy, (3) as a species native to San Francisco, this tree has natural historical value, (5) high visibility, (6) character-defining form, and (7) as a native species, it is an important wildlife habitat. An Urban Forestry Council landmark tree hearing will be scheduled for August 28 at 5:30 p.m., in Room 416, City Hall. (AYES: Chair Boss, Members Griswold and Sustarich; Absent: Member Blair.) Member Blair left the meeting at 4:40 p.m. before the vote on approval of landmark tree nomination.

Mr. Call stated that he may not be available to attend the meeting. Chair Boss asked Mr. Call to submit supporting documentation to the Council Secretary before the meeting. Council Chair Milne advised that proxies have spoken at previous landmark tree hearings in place of the property owner.

4. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council. (Discussion and Possible Action) (Continued from the May 8, 2007 Meeting) (Explanatory Documents: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.)

   Chair Boss stated that he had recommended this agenda item because he was having a difficult time applying the criteria to how a tree would qualify for landmark status. It was stated that there is a large discrepancy on the importance of the criteria and recommended that the language and how the criteria is being used be revisited. Member Griswold stated that the Committee should review the attributes that they would consider when judging a tree for landmark status; e.g., would it be size, rarity, its' significant location, perhaps a significant event? Member Griswold stated that fundamental questions should be answered. Chair Boss requested that Committee members before the next Landmark Tree Committee meeting research examples and guidelines of other municipality's actions specific to trees.

5. **Outreach Plan for Landmarking of Trees** (Discussion). Chair Boss stated that at the last Landmark Tree Committee meeting there was consensus that it would be beneficial to do outreach, as the Committee has not been presented with many trees to review. It was agreed that the Committee did not want to extend the outreach to the entire population of San Francisco for fear that it might bring up too many controversial property dispute issues, and that the outreach should be through letters directed to the Board of Supervisors, Department Heads, the Planning Commission and Landmarks Preservation Advisory Board. The letter would send a message that trees are a wonderful resource in the City, they are something that we should be celebrating, and since you have the power to formally nominate worthy trees, we would like you to consider the trees in your area or jurisdiction, and send them to the Council to consider. Member Sustarich agreed to work on a draft for review at the next meeting. Member Griswold suggested sending a letter to the Presidio Trust and Golden Gate National Recreation Area within its San Francisco boundaries and asked if nominations would be accepted from those lands. Council Chair Milne stated that he would consult with the Deputy City Attorney.

6. **New Business/Future Agenda Items** (Information and Discussion). Chair Boss stated that the Board of Supervisors has submitted an intent to nominate four trees, two Flowering Ash trees located at 500 Cortland Street; one remarkable Moreton Bay Fig tree at 3555 Cesar Chavez Street in the property of St. Luke's Hospital; and a San Francisco native tree, Blue Elderberry, located at Folsom Street and Bernal Heights Boulevard that is visible to all cars from the downtown side and is a remnant of the natural forest in San Francisco. Council Chair Milne recommended flagging the Elderberry tree so Council Members are able to readily locate it as there is no address.

   Council Chair Milne reported that there is a fire suppression meeting on August 15 at the Bernal heights Neighborhood Center and that they may be discussing cutting down trees on "The Hill" because they believe it may be a fire danger. Council Chair Milne stated that he asked Supervisor Ammiano's office for a better official description of the location of the Moreton Bay Fig tree, as it is right beside the Bancroft Library historic marker and on the property of St. Luke's Hospital.

Chair Boss recommended that a future agenda item for the next meeting be a discussion on identification of landmark tree status after designation; e.g., an official registry or a landmark tree plaque placed on the tree.

Council Chair Milne reported that the Council at their next meeting would be considering additional members to Committees and restructuring of Committees. It was suggested that administrative actions be accelerated because the Committee structure may change.

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

8. **Adjournment.** The Landmark Tree Committee meeting adjourned at 5:20 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, September 11, 2007 at 4:00 p.m., Room 421, City Hall.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., by clicking on links by each agenda item above, or upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Respectfully submitted by,

Monica Fish
Council Secretary

Approved:

SF Environment
Our home. Our city. Our planet.

GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT

URBAN FORESTRY COUNCIL LANDMARK TREE COMMITTEE

REGULAR MEETING APPROVED MINUTES

SF
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approved

Tuesday, August 14, 2007, 4:00 p.m.

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City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The meeting was called to order at 4:05 p.m. Present: Chair Boss, Members Blair, Griswold and Sustarich.

2. **Adoption of Minutes of the May 8, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting** (Discussion and Action). Upon Motion by Chair Boss and second by Member Sustarich, the May 8, 2007 Meeting Minutes were approved (AYES: Chair Boss, Members Blair, Griswold and Sustarich) (Explanatory Document: Draft Minutes of the May 8, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=60638.)

3. **Coast Live Oak Tree at 4124 – 23rd Street.** The Landmark Tree Committee will discuss and vote to recommend their findings to substantiate the property owner's landmark tree nomination at this site (Discussion and Action) (Explanatory Document: Nomination Form (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeNominationForm.pdf)
SPONSOR & SPEAKER: Council Chair Terry Milne

Council Chair Milne introduced the property owner and nominator of the landmark tree nomination, Mr. Robert Call. It was explained that this tree was originally nominated by Supervisor Dufty's office, but the statutory time limit for the hearing to take place had expired without further action. However, since the property owner has now nominated the tree, the City Attorney's Office has advised that the Urban Forestry Council is able to hold a hearing. Chair Milne requested that the

Landmark Tree Committee/Urban Forestry Council provide written findings to the Board of Supervisors on how this tree would qualify for landmark tree status.

Mr. Robert Call reported that he has lived at 4124 – 23rd Street for 20 years and believes the tree is approximately 100 years old. The tree covers all of his backyard and the adjoining property's. The adjoining property owner is in the process of doing construction work that may affect the health of the tree. Mr. Call had requested that Supervisor Dufty nominate the tree for landmark status, which he did, but it was never acted upon. A meeting was held at the site where the tree is located with Department of Public Work representatives, the Department of Building Inspection, and the adjoining property owner, at which time everyone agreed that the tree should be protected.

Mr. Call was asked to describe why the tree merits landmark tree status. Mr. Call stated that the tree is a privacy screen, bird habitat, is a great tree and should be preserved. Pictures from different vantage points were distributed to the members. It was stated that the tree is visible and notable from several locations.

Chair Boss reported that he had visited the tree and purely on the basis of its size and species, it is worthy of landmark tree status and that he would support its nomination. He suggested to Mr. Call that letters or a petition showing neighborhood support for the tree would add credibility to the nomination. Chair Boss also suggested that providing written documentation from arborists, if available, stating the approximate age and size of the tree would add credibility to the nomination. It was stated that the pictures on the tree's visibility from so many diverse and far away places serve as support and recommended that the pictures be included.

Council Chair Milne asked if there is an estimate on the geometry of where the property line is, where the neighbor's construction is, and where the tree is. Mr. Call stated that the tree is about eight feet from his side of the property line. It was explained that the adjoining property owner wanted to trench from property line to property line, which he did not do; however, significant trenching has been done against the adjoining property owner's own landscape designs and arborist's advice. Mr. Call stated that most of the significant roots are on his property, but that there are significant roots that extend onto the adjoining property owner's. Council Chair Milne indicated that it sounds as if the viability of the tree might not be threatened at this point. Mr. Call stated that the Native Oak Society advised not to disturb the roots in order to preserve the health of the tree. Chair Boss stated that the subject of trenching would be irrelevant to the landmark quality of the tree.

Upon Motion by Chair Boss and second by Member Sustarich, the Landmark Tree Committee approved the nomination of the coast live oak tree located at 4124 – 23rd Street for landmark tree status with findings that include: (1) it is an uncommon species in San Francisco, (2) significantly large with a majestic canopy, (3) as a species native to San Francisco, this tree has natural historical value, (5) high visibility, (6) character-defining form, and (7) as a native species, it is an important wildlife habitat. An Urban Forestry Council landmark tree hearing will be scheduled for August 28 at 5:30 p.m., in Room 416, City Hall. (AYES: Chair Boss, Members Griswold and Sustarich; Absent: Member Blair.) Member Blair left the meeting at 4:40 p.m. before the vote on approval of landmark tree nomination.

Mr. Call stated that he may not be available to attend the meeting. Chair Boss asked Mr. Call to submit supporting documentation to the Council Secretary before the meeting. Council Chair Milne advised that proxies have spoken at previous landmark tree hearings in place of the property owner.

4. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and possibly vote on making recommendations to the Urban Forestry Council. (Discussion and Possible Action) (Continued from the May 8, 2007 Meeting) (Explanatory Documents: Landmark Tree Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.)

   Chair Boss stated that he had recommended this agenda item because he was having a difficult time applying the criteria to how a tree would qualify for landmark status. It was stated that there is a large discrepancy on the importance of the criteria and recommended that the language and how the criteria is being used be revisited. Member Griswold stated that the Committee should review the attributes that they would consider when judging a tree for landmark status; e.g., would it be size, rarity, its' significant location, perhaps a significant event? Member Griswold stated that fundamental questions should be answered. Chair Boss requested that Committee members before the next Landmark Tree Committee meeting research examples and guidelines of other municipality's actions specific to trees.

5. **Outreach Plan for Landmarking of Trees** (Discussion). Chair Boss stated that at the last Landmark Tree Committee meeting there was consensus that it would be beneficial to do outreach, as the Committee has not been presented with many trees to review. It was agreed that the Committee did not want to extend the outreach to the entire population of San Francisco for fear that it might bring up too many controversial property dispute issues, and that the outreach should be through letters directed to the Board of Supervisors, Department Heads, the Planning Commission and Landmarks Preservation Advisory Board. The letter would send a message that trees are a wonderful resource in the City, they are something that we should be celebrating, and since you have the power to formally nominate worthy trees, we would like you to consider the trees in your area or jurisdiction, and send them to the Council to consider. Member Sustarich agreed to work on a draft for review at the next meeting. Member Griswold suggested sending a letter to the Presidio Trust and Golden Gate National Recreation Area within its San Francisco boundaries and asked if nominations would be accepted from those lands. Council Chair Milne stated that he would consult with the Deputy City Attorney.

6. **New Business/Future Agenda Items** (Information and Discussion). Chair Boss stated that the Board of Supervisors has submitted an intent to nominate four trees, two Flowering Ash trees located at 500 Cortland Street; one remarkable Moreton Bay Fig tree at 3555 Cesar Chavez Street in the property of St. Luke's Hospital; and a San Francisco native tree, Blue Elderberry, located at Folsom Street and Bernal Heights Boulevard that is visible to all cars from the downtown side and is a remnant of the natural forest in San Francisco. Council Chair Milne recommended flagging the Elderberry tree so Council Members are able to readily locate it as there is no address.

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Chair Boss recommended that a future agenda item for the next meeting be a discussion on identification of landmark tree status after designation; e.g., an official registry or a landmark tree plaque placed on the tree.

Council Chair Milne reported that the Council at their next meeting would be considering additional members to Committees and restructuring of Committees. It was suggested that administrative actions be accelerated because the Committee structure may change.

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

8. **Adjournment.** The Landmark Tree Committee meeting adjourned at 5:20 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, September 11, 2007 at 4:00 p.m., Room 421, City Hall.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., by clicking on links by each agenda item above, or upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Respectfully submitted by,

Monica Fish
Council Secretary

Approved: October 9, 2007

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco
Urban Forestry Council
LANDMARK TREE COMMITTEE
Regular Meeting Notice and Agenda

Tuesday, September 11, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich.

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **Call to Order and Roll Call**

2. **Adoption of Minutes of the August 14, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting**. (Discussion and Action) Explanatory Document: Draft Minutes of the August 14, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=65610.)

3. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the August 14, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word), http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.) (Discussion)

4. **Outreach Plan for Landmarking of Trees.** The Committee will review a draft letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion) (Explanatory Document: Draft Outreach Letter).

5. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion).

6. **New Business/Future Agenda Items** (Information and Discussion).

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

8. **Adjournment.**

The next Landmark Tree Committee meeting will be held on Tuesday, October 9, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Know Your Rights Under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=61012** (by following the links by each agenda item), by following the links by each agenda item above, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting. Explanatory documents that are received after posting of this agenda will be available on the website or by request to the Council Secretary at the contact information listed above.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Monica Fish, Council Secretary
TEL: (415) 355-3709; FAX: 415-554-6393

Posted: August 29, 2007

San Francisco Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.

URBAN FORESTRY COUNCIL
CRITERIA FOR LANDMARK TREE EVALUATION (DRAFT)

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the UFC has developed these criteria for evaluating potential landmark trees in San Francisco. When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would. Use comment sections, as appropriate, to explain or support evaluation. Attach sheets if more space is needed.

Rarity: Unusual species in San Francisco. Also consider rarity in San Francisco (region or ecological zone).

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced in age for this species.

Historical Association: Related to a historic building, site, street, person, event, etc.

Cultural appreciation: Particular value to certain cultural, ethnic or religious group in the city.

Neighborhood appreciation: Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Tree ? neighborhood character: Tree contributes significantly to neighborhood aesthetic.

Prominent landscape feature: A striking, and outstanding natural feature.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

Traffic calming value: Tree is located in an area that has a high volume of vehicular, pedestrian or bike traffic and has a potential traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Visible or Accessible from public right-of-way. High visibility and/or access from public property.

Important wildlife habitat: This type of tree has a know relationship with a particular wildlife species or it provides food, shelter, or nesting to specific known wildlife individuals.

Interdependent group of trees: This tree is an integral member of a group of trees, and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Character-defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard

Return to Provision 31

Guidelines for Developing and
Evaluating Tree Ordinances

Defining special trees: heritage, historic, and landmark trees

As noted in our discussion of provision 31, individual trees may be considered important community resources because of unique or noteworthy characteristics or values. Such trees have been described in ordinances as heritage, historic, landmark, legacy, special interest, significant, or specimen trees or various permutations of these terms (e.g., heritage oak, exceptional specimen tree). In some ordinances, trees are simply labeled protected trees (i.e., trees afforded protection by the ordinance). Regardless of the term used, the concept is the same: trees with certain characteristics are singled out for special consideration in the ordinance. Most commonly, one or more of the following criteria are used to define a special status tree:

Size - Some component of tree size, most frequently trunk diameter, may be used to define a special status tree. Most commonly, a given diameter at 4.5 ft above grade (i.e., diameter at breast height or DBH) is used as the size standard. Additional rules are typically needed to handle trees that are multi-trunked or branch below 4.5 ft. Because the relationships between DBH and canopy spread or DBH and tree age vary by species, different tree diameter standards may be applied to different species.

Although a tree diameter standard is fairly objective, the threshold diameter is often set more or less arbitrarily. As such, management decisions based solely on a threshold diameter may not be particularly logical. For example, if the threshold diameter for protecting a tree is 24 inches DBH, a tree with a diameter of 23.9 inches would be ignored, even though it might have a greater canopy spread than a tree with a larger DBH. Furthermore, the measurement of DBH with standard equipment such as diameter tapes or calipers is subject to errors related to trunk or bark irregularities and minor shifts in the location of the measuring device. A tree with a DBH measured as 24.2 inches by one observer could be measured at 23.5 inches by another observer. These problems are minimized when small threshold diameters (e.g., 3 inches) are used.

Other components of tree size, such as maximum canopy spread or height, may also be considered independently or in conjunction with tree diameter. The National Register of Big Trees, maintained by American Forests, uses a point system to rate tree size. Points for each tree are calculated by summing trunk circumference (at 4.5 ft) in inches, tree height in feet, and one-quarter of the average crown spread in feet. This system is used to determine "champion" trees for each species. Some ordinances expressly confer special tree status on state or national champion trees. More local "champion" trees could be defined using the same methods.

Species - Special status may be conferred only to certain species of trees. Special status trees are often, but not always, important locally native species or trees that are associated with the character of a community. Certain species that are relatively rare in an area, whether native or not, may also be granted special status. In some cases, species is used to specifically exempt certain trees from special status regardless of size. For instance, weedy trees such as tree-of-heaven (*Ailanthus altissima*) or trees used for commercial purposes (e.g., fruit trees, plantation lumber or pulp trees) may be excluded from

consideration as special status trees. Unless interspecific hybrids are present in an area or the taxonomy of a species changes, species is probably the most objective criterion used in defining special status trees.

Age - Especially old trees are a link to the past, so many definitions of special status trees include age as a criterion. In practice, tree age is fairly difficult to determine in standing trees unless documentation of tree age exists from historical accounts, photographs, or associations with historical structures. Tree age is sometimes inferred from tree size, especially DBH. However, the relationship between age and DBH varies with species, site quality, management history, and other factors, so DBH is usually only a crude estimator of tree age. Determining age by increment boring is theoretically possible, but is potentially damaging to the tree and is fraught with difficulties if trees are large, have very hard wood, or are decayed in the center.

Historic significance - A tree may be associated with a notable local or regional historical event, person, structure, or landscape. Almost every tree that has been around for a while has some historical significance, whether it is recognized or not. Determining whether the historical significance of a given tree is sufficiently notable is therefore a subjective matter. Historic tree status is typically granted by a governing (e.g., city council) or advisory body (e.g., tree commission). Some ordinances automatically confer historic status on trees designated as historical landmarks by certain other organizations (e.g., historical societies). In addition, ordinances may assign special status to trees dedicated or planted as public memorials.

Ecological value - All trees serve a variety of ecological functions. Certain trees or groups of trees may have especially high ecological value because of their location, size, species, and/or condition. For example, a given tree may be an important roost, nesting site, or food source for certain wildlife species; it may be situated in a site where it plays a critical role in stabilizing soil or providing shade needed by other plant or animal species; it may be an important genetic resource for a local tree population or the species as a whole. Input from trained biologists and ecologists may be necessary to document particular ecological values that may not be obvious to the general public.

Aesthetics - Since beauty is in the eye of the beholder, assigning special status on the basis of aesthetics is always highly subjective. A tree may have special aesthetic value due to its form, whether it is especially perfect and symmetrical or notably craggy and idiosyncratic. Also, the function that a tree serves in a landscape may be sufficient to justify special status; for example, a landmark pair of trees that frame an entrance. In the absence of other noteworthy characteristics, it may be contentious to base special status upon aesthetics alone.

Location - Trees in particular locations may be accorded special status in recognition of the important aesthetic or ecological functions that they serve. Proximity to a thoroughfare can be used to classify a tree as a street tree, which may be accorded special status whether or not it is in the public right-of-way or is under public or private care. Trees located along or within a set distance from watercourses may also be give special status due to their importance in stabilizing streambanks or providing shaded riverine habitat. In some cases, the location of a tree is considered in conjunction with size or species parameters.

Required plantings and retained trees - If trees are have been preserved or planted as a requirement of development, the community has a vested interest to ensure that the trees are protected. The purpose of planting and tree retention is to develop mature tree canopy, and this cannot occur if the subject trees are eliminated, ruined by topping or other poor maintenance practices, or replaced frequently with young trees. By explicitly providing special status to such trees in the ordinance, a jurisdiction may be able to provide a higher level of regulatory protection to such trees and increase the penalties associated with

unauthorized damage to or removal of the tree.

Other unique characteristics - This grab-bag term may be added to the list of criteria used to designate special status trees because it is difficult to anticipate all possible situations of significance. For example, a given tree may become a local or regional cultural icon due to an event or apparition that is associated with it. This criterion will again be subjective and typically may be invoked through the approval of a governing body.

Because each criterion above has clear limitations and difficulties, most definitions include a combination of criteria. The following definition include examples of many of the criteria discussed above.

> *Protected tree includes all of the following:*
>
> *(1)Private protected tree means any tree with a DBH of six inches or more located on any lot within twenty feet of a street right-of-way (including an approved private street or other access easement) or a tree with a DBH of eight inches or more located within ten feet of any other property line, or a tree with a DBH of twelve inches or more located elsewhere on the lot.*
>
> *(2)Public protected tree means any tree located on lands owned by the city, or other governmental agencies or authorities, or any land upon which easements are imposed for the benefit of the city, or other governmental agencies or authorities, or upon which other ownership control may be exerted by the city, or other governmental agencies or authorities, including rights-of-way, parks, public areas and easements for drainage, sewer, water and other public utilities, with:*
>
> > *(i) A DBH of six inches or more located within a city or other governmental right-of-way, or*
> > *(ii) A DBH of six inches or more and located on any lot within twenty feet of a street right-of-way, or*
> > *(iii) A DBH of eight inches or more located on any lot within ten feet of any other property line, or*
> > *(iv) A DBH of twelve inches or more located elsewhere on the lot.*
>
> *(3) Exceptional specimen tree means any tree which is determined by the City Council to be of unique and intrinsic value to the general public because of its size, age, historic association or ecological value or any tree designated a Florida State Champion, United States Champion or World Champion by the American Forestry Association. The Chief shall keep a record of all specimen trees so designated and their location.*
>
> [Jacksonville, FL: Ordinance code Title XVII, Section 656.1203bb]

As noted in provision 31, special tree status is best targeted at individual trees, typically in areas that do not have natural stands of trees. When stands of trees or patches of forest or woodland are the topic of concern, the approach described in provision 32 (forest and woodland conservation) may be more

appropriate.

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GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

City and County of San Francisco
Urban Forestry Council

Landmark Tree Committee

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NOTICE OF CANCELLED MEETING
Tuesday, September 11, 2007, 4:00 p.m.
Room 421, City Hall

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The **Tuesday, September 11, 2007, 4:00 p.m. Regular Meeting** of the Urban Forestry Council's Landmark Tree Committee has been **CANCELLED**. The next Regular Meeting is scheduled for Tuesday, October 9, 2007 at 4:00 p.m. at City Hall, Room 421, One Dr. Carlton B. Goodlett Place in San Francisco. An agenda will be prepared and distributed at least 72 hours prior to the meeting. If you have any questions, please contact the Council Secretary at (415) 355-3709. You may also visit our website at http://sfgov.org/site/sfenvironment_meeting.asp?id=61012 for additional meeting information.

Respectfully submitted by,

Monica Fish, Council Secretary

Posted: September 10, 2007

11 Grove Street, San Francisco, California 94102
www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

SF Environment

GAVIN NEWSOM, MAYOR
JARED BLUMENFELD, DIRECTOR

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City and County of San Francisco
Urban Forestry Council
LANDMARK TREE COMMITTEE
Regular Meeting Notice and Agenda

Tuesday, October 9, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich.

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **Call to Order and Roll Call**

2. **Adoption of Minutes of the August 14, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting.** (Discussion and Action) Explanatory Document: Draft Minutes of the August 14, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=65610.)

3. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the August 14, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word), http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.) (Discussion)

4. **Outreach Plan for Landmarking of Trees.** The Committee will review and possibly approve a draft letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Possible Action) (Explanatory Document: Draft Outreach Letter).

5. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion).

6. **New Business/Future Agenda Items** (Information and Discussion).

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

8. **Adjournment.**

The next Landmark Tree Committee meeting will be held on Tuesday, November 13, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=61012** (by following the links by each agenda item), by following the links by each agenda item above, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting. Explanatory documents that are received after posting of this agenda will be available on the website or by request to the Council Secretary at the contact information listed above.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Monica Fish, Council Secretary
TEL: (415) 355-3709; FAX: 415-554-6393

Posted: October 4, 2007

San Francisco Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.

URBAN FORESTRY COUNCIL
CRITERIA FOR LANDMARK TREE EVALUATION (DRAFT)

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the UFC has developed these criteria for evaluating potential landmark trees in San Francisco. When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would. Use comment sections, as appropriate, to explain or support evaluation. Attach sheets if more space is needed.

Rarity: Unusual species in San Francisco. Also consider rarity in San Francisco (region or ecological zone).

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced in age for this species.

Historical Association: Related to a historic building, site, street, person, event, etc.

Cultural appreciation: Particular value to certain cultural, ethnic or religious group in the city.

Neighborhood appreciation: Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Tree ? neighborhood character: Tree contributes significantly to neighborhood aesthetic.

Prominent landscape feature: A striking, and outstanding natural feature.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

Traffic calming value: Tree is located in an area that has a high volume of vehicular, pedestrian or bike traffic and has a potential traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Visible or Accessible from public right-of-way. High visibility and/or access from public property.

Important wildlife habitat: This type of tree has a know relationship with a particular wildlife species or it provides food, shelter, or nesting to specific known wildlife individuals.

Interdependent group of trees: This tree is an integral member of a group of trees, and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Character-defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard

Return to Provision 31

Guidelines for Developing and Evaluating Tree Ordinances

Defining special trees: heritage, historic, and landmark trees

As noted in our discussion of provision 31, individual trees may be considered important community resources because of unique or noteworthy characteristics or values. Such trees have been described in ordinances as heritage, historic, landmark, legacy, special interest, significant, or specimen trees or various permutations of these terms (e.g., heritage oak, exceptional specimen tree). In some ordinances, trees are simply labeled protected trees (i.e., trees afforded protection by the ordinance). Regardless of the term used, the concept is the same: trees with certain characteristics are singled out for special consideration in the ordinance. Most commonly, one or more of the following criteria are used to define a special status tree:

Size - Some component of tree size, most frequently trunk diameter, may be used to define a special status tree. Most commonly, a given diameter at 4.5 ft above grade (i.e., diameter at breast height or DBH) is used as the size standard. Additional rules are typically needed to handle trees that are multi-trunked or branch below 4.5 ft. Because the relationships between DBH and canopy spread or DBH and tree age vary by species, different tree diameter standards may be applied to different species.

Although a tree diameter standard is fairly objective, the threshold diameter is often set more or less arbitrarily. As such, management decisions based solely on a threshold diameter may not be particularly logical. For example, if the threshold diameter for protecting a tree is 24 inches DBH, a tree with a diameter of 23.9 inches would be ignored, even though it might have a greater canopy spread than a tree with a larger DBH. Furthermore, the measurement of DBH with standard equipment such as diameter tapes or calipers is subject to errors related to trunk or bark irregularities and minor shifts in the location of the measuring device. A tree with a DBH measured as 24.2 inches by one observer could be measured at 23.5 inches by another observer. These problems are minimized when small threshold diameters (e.g., 3 inches) are used.

Other components of tree size, such as maximum canopy spread or height, may also be considered independently or in conjunction with tree diameter. The National Register of Big Trees, maintained by American Forests, uses a point system to rate tree size. Points for each tree are calculated by summing trunk circumference (at 4.5 ft) in inches, tree height in feet, and one-quarter of the average crown spread in feet. This system is used to determine "champion" trees for each species. Some ordinances expressly confer special tree status on state or national champion trees. More local "champion" trees could be defined using the same methods.

Species - Special status may be conferred only to certain species of trees. Special status trees are often, but not always, important locally native species or trees that are associated with the character of a community. Certain species that are relatively rare in an area, whether native or not, may also be granted special status. In some cases, species is used to specifically exempt certain trees from special status regardless of size. For instance, weedy trees such as tree-of-heaven (*Ailanthus altissima*) or trees used for commercial purposes (e.g., fruit trees, plantation lumber or pulp trees) may be excluded from

consideration as special status trees. Unless interspecific hybrids are present in an area or the taxonomy of a species changes, species is probably the most objective criterion used in defining special status trees.

Age - Especially old trees are a link to the past, so many definitions of special status trees include age as a criterion. In practice, tree age is fairly difficult to determine in standing trees unless documentation of tree age exists from historical accounts, photographs, or associations with historical structures. Tree age is sometimes inferred from tree size, especially DBH. However, the relationship between age and DBH varies with species, site quality, management history, and other factors, so DBH is usually only a crude estimator of tree age. Determining age by increment boring is theoretically possible, but is potentially damaging to the tree and is fraught with difficulties if trees are large, have very hard wood, or are decayed in the center.

Historic significance - A tree may be associated with a notable local or regional historical event, person, structure, or landscape. Almost every tree that has been around for a while has some historical significance, whether it is recognized or not. Determining whether the historical significance of a given tree is sufficiently notable is therefore a subjective matter. Historic tree status is typically granted by a governing (e.g., city council) or advisory body (e.g., tree commission). Some ordinances automatically confer historic status on trees designated as historical landmarks by certain other organizations (e.g., historical societies). In addition, ordinances may assign special status to trees dedicated or planted as public memorials.

Ecological value - All trees serve a variety of ecological functions. Certain trees or groups of trees may have especially high ecological value because of their location, size, species, and/or condition. For example, a given tree may be an important roost, nesting site, or food source for certain wildlife species; it may be situated in a site where it plays a critical role in stabilizing soil or providing shade needed by other plant or animal species; it may be an important genetic resource for a local tree population or the species as a whole. Input from trained biologists and ecologists may be necessary to document particular ecological values that may not be obvious to the general public.

Aesthetics - Since beauty is in the eye of the beholder, assigning special status on the basis of aesthetics is always highly subjective. A tree may have special aesthetic value due to its form, whether it is especially perfect and symmetrical or notably craggy and idiosyncratic. Also, the function that a tree serves in a landscape may be sufficient to justify special status; for example, a landmark pair of trees that frame an entrance. In the absence of other noteworthy characteristics, it may be contentious to base special status upon aesthetics alone.

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unauthorized damage to or removal of the tree.

Other unique characteristics - This grab-bag term may be added to the list of criteria used to designate special status trees because it is difficult to anticipate all possible situations of significance. For example, a given tree may become a local or regional cultural icon due to an event or apparition that is associated with it. This criterion will again be subjective and typically may be invoked through the approval of a governing body.

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>
> > *(i) A DBH of six inches or more located within a city or other governmental right-of-way, or*
> > *(ii) A DBH of six inches or more and located on any lot within twenty feet of a street right-of-way, or*
> > *(iii) A DBH of eight inches or more located on any lot within ten feet of any other property line, or*
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>
> [Jacksonville, FL: Ordinance code Title XVII, Section 656.1203bb]

As noted in provision 31, special tree status is best targeted at individual trees, typically in areas that do not have natural stands of trees. When stands of trees or patches of forest or woodland are the topic of concern, the approach described in provision 32 (forest and woodland conservation) may be more

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CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT

URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES

Tuesday, October 9, 2007, 4:00 p.m.

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City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich (Vacant 1).

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The meeting was called to order at 4:05 p.m. Present: Chair Boss, Members Blair, Griswold and Sustarich. Ms. Mei Ling Hui was introduced as the Environmental Assistant for the Urban Forestry Council.

2. **Adoption of Minutes of the August 14, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting** (Discussion and Action). Upon Motion by Member Sustarich and second by Chair Boss, the August 14, 2007 Meeting Minutes were approved (AYES: Chair Boss, Members Blair, Griswold and Sustarich) (Explanatory Document: Approved Minutes of the August 14, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=66263).

3. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the August 14, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.) (Discussion).

   Chair Boss reported that the 2007 California Urban Forest Conference scheduled for November 1-3 would present a good opportunity to network with people from other jurisdictions that are dealing with this type of criteria. It was stated that the Committee had produced draft revisions (Evaluation Criteria Revised 050307) to the original Landmark Tree Evaluation Criteria that would be revised further. Member Blair suggested consulting a report produced by a Department of the Environment Intern called "Living Landmarks: A Comparison of 12 Tree Preservation Ordinances and Suggestions for San Francisco's Urban Forestry Ordinance" (Explanatory Document: "Living Landmarks" (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LivingLandmark0605.doc) **This item was continued to the November 13, 2007 meeting for further discussion.**

4. **Outreach Plan for Landmarking of Trees.** The Committee will review and possibly approve a draft letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Possible Action) (Explanatory Document: Draft Outreach Letter (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarktreelettertonominatingpartiesPublicOutreach.doc).

   Member Sustarich presented a draft letter for the Committee to consider. Committee members stated that the letter should be presented in a format to glorify trees. Several suggestions were to use language such as "honor, to celebrate trees, preservation of trees, trees are part of history." Member Blair commented on impressionable language used in an article by the Department of Public Works that states, "greening spaces are vital to the quality of life in San Francisco" and suggested a similar tone.

   Committee members and staff went over the correct process for nominating and designating a landmark tree. The Council Secretary was asked to forward a copy of the Landmark Tree Process outline provided by Deputy City Attorney Alicia Cabrera and Landmark Tree Program Document to Member Sustarich and Ms. Hui so that the process could be included as the second page to the outreach letter. Committee members were asked to forward their suggestions to Ms. Hui who would be creating a final letter on Urban Forestry Council designated stationery. Chair Boss requested that the letter be sent on behalf of the Landmark Tree Committee. Council Secretary Fish suggested adding Landmark Tree Committee to the letter stationery underneath Urban Forestry Council.

   Continued to the November 13, 2007 Meeting for approval of a final letter.

   Public Comment: Chair Milne urged the Committee to place "Urban Forestry Council" on the very top of the letter so recipients could automatically see whom the letter originated from.

5. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion).

   Chair Boss stated that very few people know about the landmarking process and would not be able to visibly identify which trees were landmarked because there is no marking or designation on the tree. Concerns that were expressed were that in five to ten years, Committee or Council members may be the only ones that remember what trees had been landmarked or that workers could unknowingly cut down a landmark tree. Placing a plaque or other type of visible designation on the tree was considered; however, it was felt that plaques would be subject to theft and vandalism. Member Griswold suggested a walking brochure that states where the landmarked trees are. Chair Boss recommended that this issue could be reviewed with other participants at the California Urban Forest Conference and additional solutions or designs could be considered at the next Committee meeting. Member Blair discussed holding a tree celebration similar to what is done in Asia where trees are ordained and blessed. It was stated that a ceremony could require a lot of City resources, but could possibly be done by the nominator if they were interested. **Continued to the November 13, 2007 Meeting.**

Public Comment: Urban Forestry Council Chair Milne suggested an aluminum or stainless steel chain that says San Francisco landmark tree that is simple, inexpensive, and without an elaborate design.

6. **New Business/Future Agenda Items** (Information and Discussion).

Ms. Hui reported on trees that would be introduced by Supervisor Ammiano at the full Board meeting on October 16 without reference to Committee. These trees would be voted on by the Full Board on October 23.

Blue Elderberry (Sambucus mexicana) in the Bernal Height Natural Area near the intersection of Folsom and Bernal Height Boulevard

2 Flowering Ash (Fraxinus ornus) at the Bernal Heights Library at 500 Cortland Street

1 Moreton Bay Fig (Ficus macrophylla) at 3555 Cesar Chavez Street

Chair Boss asked whether Landmark Tree Committee members could appear at the Board or Committee meeting to show support for the nomination. Ms. Hui reported that she was advised that members are not supposed to take action until it is sent to the Landmark Tree Committee for consideration. Members requested further clarification on the landmark tree nomination process. Ms. Hui offered to make a presentation at the November 13, 2007 meeting. A discussion was held on the proper procedure for contacting the property owner to review a nominated tree for landmark status. It was stated that the owner's permission is required before examining a private property tree. Member Blair asked why the Council does not have additional funding for printing brochures. Ms. Fish stated that Ms. Eng had previously indicated that now was the time for Council members to become involved in the budget process and make recommendations. Member Griswold asked that a summary be presented on the California Urban Forest Conference at the next meeting.

Ms. Hui indicated that she would check the status of the 4124 23rd Street tree, which had been approved for landmark tree status by the Urban Forestry Council and forwarded to the Board of Supervisors to consider designation.

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. Member Blair on behalf of the San Francisco Tree Council discussed the decreased allocation of funding from different departments to support the urban forestry program and recommended that the Department of the Environment ask for additional funding. Member Boss recommended that the budget be discussed at the full Council.

8. **Adjournment.** The Landmark Tree Committee meeting adjourned at 5:15 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, November 13, 2007 at 4:00 p.m., Room 421, City Hall.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., by clicking on links by each agenda item above, or upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Respectfully submitted by,

Monica Fish
Council Secretary

Approved:

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

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REGULAR MEETING
APPROVED MINUTES

Tuesday, October 9, 2007, 4:00 p.m.

City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

SF
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#2
10/9/07
approved

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, and Mark Sustarich (Vacant 1).

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The meeting was called to order at 4:05 p.m. Present: Chair Boss, Members Blair, Griswold and Sustarich. Ms. Mei Ling Hui was introduced as the Environmental Assistant for the Urban Forestry Council.

2. **Adoption of Minutes of the August 14, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting** (Discussion and Action). Upon Motion by Member Sustarich and second by Chair Boss, the August 14, 2007 Meeting Minutes were approved (AYES: Chair Boss, Members Blair, Griswold and Sustarich) (Explanatory Document: Approved Minutes of the August 14, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=66263).

3. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the August 14, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.) (Discussion).

   Chair Boss reported that the 2007 California Urban Forest Conference scheduled for November 1-3 would present a good opportunity to network with people from other jurisdictions that are dealing with this type of criteria. It was stated that the Committee had produced draft revisions (Evaluation Criteria Revised 050307) to the original Landmark Tree Evaluation Criteria that would be revised further. Member Blair suggested consulting a report produced by a Department of the Environment Intern called "Living Landmarks: A Comparison of 12 Tree Preservation Ordinances and Suggestions for San Francisco's Urban Forestry Ordinance" (Explanatory Document: "Living Landmarks" (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LivingLandmark0605.doc) **This item was continued to the November 13, 2007 meeting for further discussion.**

4. **Outreach Plan for Landmarking of Trees.** The Committee will review and possibly approve a draft letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Possible Action) (Explanatory Document: Draft Outreach Letter (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarktreelettertonominatingpartiesPublicOutreach.doc).

   Member Sustarich presented a draft letter for the Committee to consider. Committee members stated that the letter should be presented in a format to glorify trees. Several suggestions were to use language such as "honor, to celebrate trees, preservation of trees, trees are part of history." Member Blair commented on impressionable language used in an article by the Department of Public Works that states, "greening spaces are vital to the quality of life in San Francisco" and suggested a similar tone.

   Committee members and staff went over the correct process for nominating and designating a landmark tree. The Council Secretary was asked to forward a copy of the Landmark Tree Process outline provided by Deputy City Attorney Alicia Cabrera and Landmark Tree Program Document to Member Sustarich and Ms. Hui so that the process could be included as the second page to the outreach letter. Committee members were asked to forward their suggestions to Ms. Hui who would be creating a final letter on Urban Forestry Council designated stationery. Chair Boss requested that the letter be sent on behalf of the Landmark Tree Committee. Council Secretary Fish suggested adding Landmark Tree Committee to the letter stationery underneath Urban Forestry Council.

   Continued to the November 13, 2007 Meeting for approval of a final letter.

   Public Comment: Chair Milne urged the Committee to place "Urban Forestry Council" on the very top of the letter so recipients could automatically see whom the letter originated from.

5. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion).

   Chair Boss stated that very few people know about the landmarking process and would not be able to visibly identify which trees were landmarked because there is no marking or designation on the tree. Concerns that were expressed were that in five to ten years, Committee or Council members may be the only ones that remember what trees had been landmarked or that workers could unknowingly cut down a landmark tree. Placing a plaque or other type of visible designation on the tree was considered; however, it was felt that plaques would be subject to theft and vandalism. Member Griswold suggested a walking brochure that states where the landmarked trees are. Chair Boss recommended that this issue could be reviewed with other participants at the California Urban Forest Conference and additional solutions or designs could be considered at the next Committee meeting. Member Blair discussed holding a tree celebration similar to what is done in Asia where trees are ordained and blessed. It was stated that a ceremony could require a lot of City resources, but could possibly be done by the nominator if they were interested. **Continued to the November 13, 2007 Meeting.**

Public Comment: Urban Forestry Council Chair Milne suggested an aluminum or stainless steel chain that says San Francisco landmark tree that is simple, inexpensive, and without an elaborate design.

6. **New Business/Future Agenda Items** (Information and Discussion).

Ms. Hui reported on trees that would be introduced by Supervisor Ammiano at the full Board meeting on October 16 without reference to Committee. These trees would be voted on by the Full Board on October 23.

Blue Elderberry (Sambucus mexicana) in the Bernal Height Natural Area near the intersection of Folsom and Bernal Height Boulevard

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Chair Boss asked whether Landmark Tree Committee members could appear at the Board or Committee meeting to show support for the nomination. Ms. Hui reported that she was advised that members are not supposed to take action until it is sent to the Landmark Tree Committee for consideration. Members requested further clarification on the landmark tree nomination process. Ms. Hui offered to make a presentation at the November 13, 2007 meeting. A discussion was held on the proper procedure for contacting the property owner to review a nominated tree for landmark status. It was stated that the owner's permission is required before examining a private property tree. Member Blair asked why the Council does not have additional funding for printing brochures. Ms. Fish stated that Ms. Eng had previously indicated that now was the time for Council members to become involved in the budget process and make recommendations. Member Griswold asked that a summary be presented on the California Urban Forest Conference at the next meeting.

Ms. Hui indicated that she would check the status of the 4124 23rd Street tree, which had been approved for landmark tree status by the Urban Forestry Council and forwarded to the Board of Supervisors to consider designation.

7. **Public Comment**: Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. Member Blair on behalf of the San Francisco Tree Council discussed the decreased allocation of funding from different departments to support the urban forestry program and recommended that the Department of the Environment ask for additional funding. Member Boss recommended that the budget be discussed at the full Council.

8. **Adjournment.** The Landmark Tree Committee meeting adjourned at 5:15 p.m.

The next Landmark Tree Committee meeting will be held on Tuesday, November 13, 2007 at 4:00 p.m., Room 421, City Hall.

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Respectfully submitted by,

Monica Fish
Council Secretary

Approved: November 13, 2007

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City and County of San Francisco
Urban Forestry Council
LANDMARK TREE COMMITTEE
Regular Meeting Notice and Agenda

Tuesday, November 13, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, Malcolm Hillan, and Mark Sustarich.

Order of Business

Public Comment will be heard before the Committee takes action on any item.

1. **Call to Order and Roll Call**

2. **Adoption of Minutes of the October 9, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting.** (Discussion and Action) Explanatory Document: Draft Minutes of the October 9, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=69674.)

3. **Hearing on Nominations for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the trees nominated at the following addresses meet the criteria for designation as landmark trees.

   Blue Elderberry Tree (Sambucus Mexicana) located at Folsom Street and Bernal Heights Boulevard in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002). (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071475.pdf)

   Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002). (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071476.pdf)

   Two Flowering Ash trees (Fraxinus ornus) located at 500 Cortland Street in front of the Bernal Heights Library (Assessor's Block 5707, Lot 027). (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071477.pdf)

   At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nominations and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration.

4. **Landmark Tree Initiation of the Mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street** (Assessor's Block 647 lot 002) (Discussion and Action). The Committee will discuss the trees' current landmark designation and vote on a future action (Explanatory Documents: Board of Supervisors Resolution (PDF) **http://www.sfgov.org/site/uploadedfiles/bdsupvrs/resolutions07/r0552-07.pdf**).

5. **California Urban Forest Conference Summary** (Informational Report and Discussion).
SPEAKER: Chair Mike Boss

6. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the October 9, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word), http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.) (Discussion).

7. **Landmark Tree Nomination Process** (Informational Presentation and Discussion) (Explanatory Documents: Nomination Process (Word) **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LMTOrdinanceFlowchart.doc; http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/ProcessforDesignatingatreewithLandmarkStatus.doc**
SPEAKER: Mei Ling Hui, Urban Forestry Council Environmental Assistant

8. **Outreach Plan for Landmarking of Trees**. The Committee will vote to approve a final outreach letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Action) (Explanatory Document: Draft Outreach Letter (Word) **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/OutreachLetterfor%20LMTwithCarolynandJocelynedits.doc**) (Continued from the October 9, 2007 Meeting).

9. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion). (Continued discussion from the October 9, 2007 Meeting).

10. **New Business/Future Agenda Items** (Information and Discussion).

11. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

12. **Adjournment.**

The next Landmark Tree Committee meeting will be held on Tuesday, December 11, 2007 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)

6) Staff Rebuttal (3-5 min)
7) Property Owner Rebuttal (3-5 min)
8) Affected property owner rebuttal (3-5 min)
9) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=61012** (by following the links by each agenda item), by following the links by each agenda item above, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting. Explanatory documents that are received after posting of this agenda will be available on the website or by request to the Council Secretary at the contact information listed above.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Monica Fish, Council Secretary
TEL: (415) 355-3709; FAX: 415-554-6393

Posted: November 1, 2007

FILE NO. 071475 RESOLUTION NO.

[Landmark Designation Nomination for tree located in Bernal Heights Natural Area]

Resolution of intent initiating the nomination of the Blue Elderberry Tree (*Sambucus Mexicana)* located at Folsom Street and Bernal Heights Boulevard in Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of the Resolution.

WHEREAS, Trees provide numerous environmental and social benefits such as reducing stormwater runoff, reducing energy use, reducing air pollution, improving air quality increasing property values and providing wildlife habitat; and

WHEREAS, The Board of Supervisors passed Ordinance Number 17-06, amendment to Public Works Code Section 810, landmark trees, significant trees, and penalties for violation in support of a landmark tree program, and a copy of said Ordinance is on file with the Clerk of the Board of Supervisors in file number 051458 which is incorporated herein by reference; and,

WHEREAS, The Board of Supervisors adopted the Urban Forestry Council's landmark tree designation criteria, forms and procedures in Resolution Enacted Number 440-06. A copy of said Resolution is on file with the Clerk of the Board of Supervisors file number 060487 which is incorporated herein by reference on file with the Clerk of the Board of Supervisors in File No. 071475 which is hereby declared to be a part of this resolution as if set forth fully herein on file with the Clerk of the Board of Supervisors in File No. 071475, which is hereby declared to be a part of this resolution as if set forth fully herein; and, WHEREAS, The Blue Elderberry tree located in Bernal Heights Natural Area, pictures of which are on file with the Clerk of the Board of Supervisors in file number 071475 , is a rare species in San Francisco, is large for the species, and serves as an important wildlife habitat and is in good condition; and,

WHEREAS, That the tree is a naturally occurring remnant of our native local ecology, part of the old San Francisco forest having a link to our native history: now, therefore, be it

RESOLVED, That the Board, pursuant to Public Works Code Section 810(b), hereby adopts this resolution of intent to initiate landmark tree designation for the Blue Elderberry tree located in Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) and acknowledges the temporary designation of such tree for landmark status pursuant to Public Works Code Section 810(d); and, be it

FURTHER RESOLVED, That the Board urges the Director of Public Works to immediately notify the Recreation and Park Department of the pending nomination inform said department of special approval requirement for removal of landmark trees under Public Works Code 810(f) if such notification has not yet occurred.

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- An authorized nominator is a Supervisor, head of a City department or agency, Planning Commissioner, Landmarks Preservation Advisory Board member, or property owner.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
- A property owner may nominate a tree on his or her property.
- A member of the public may ask an authorized nominator to nominate a tree.

I am one of the following authorized nominators

☐ Property owner
☒ Board of Supervisor member
☐ Head of a city department or agency
☐ Planning Commission member
☐ Landmarks Preservation Advisory Board member

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department, Property Owner):	Property owner:
Tom Ammiano	
Name	Name
1 Dr. Carlton B. Goodlett Place Room 244	
Address	Address
San Francisco, CA 94102	
Address	Address
415-554-5144	
Phone (day)	Phone (day)
415-544-5163	
Fax #	Fax #
Tom.Ammiano@sfgov.org	
Email	Email

Member of the public who initiated nomination
(if applicable):

Mike Boss
Name
1615 Cortland Ave.
Address
San Francisco, CA 94110
Address
415-559-0113
Phone (day)

Fax #
Mboos@rockandrose.com
Email

I am an authorized nominator and I support this nomination.

____________________ Signature
____________________ Date

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

____________________ Signature
____________________ Date

TREE DESCRIPTION

Tree name (species and common name): *Sambucus mexicana* – Blue Elderberry

Number of trees: 1

Street address: Folsom at Bernal Heights Blvd.

Location of Tree: ☐ Front yard ☐ Rear yard ☐ Side yard ☐ Corner-side yard
☐ Public right-of-way X Public lands ☐ Not sure
☐ Other: ____________________

GPS units (OPTIONAL): ____________________

Height 20 feet
Average canopy width[1] 17 feet
Circumference at chest level[2] __________ inches
Circumference at ground level[3] __________ inches

[1] Distance from one edge to opposite edge of tree canopy
[2] Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
[3] Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. If you need more space to describe the tree, please attach additional sheets.

Rarity: __X__Rare ____Uncommon ____Common ____Other

Unusual species in San Francisco. Also consider rarity in California, North America, world.

Comment: Rare in San Francisco

Size: __X__Large ____Medium ____Small

Notable size (height, diameter, canopy width) compared to other trees of the same species.

Comment: Large for species

Age: Significantly advanced age for this species (known or estimated).

Comment: Unknown

Historical Association: __X_ Yes ____ None apparent

Related to a historic or cultural building, site, street, person, event, etc.

Describe nature of appreciation: tree is a naturally occurring remnant of our native local ecology, part of the old San Francisco forest

Ethnic appreciation: __X__Yes ____None apparent

Particular value to certain ethnic groups in neighborhood or city.

Describe nature of appreciation: Possible attachment to Native American population

Neighborhood appreciation: ____ Yes __X__None apparent

Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc. Attach documentation:

Describe:

Planting defines neighborhood character: ____Yes __X__No

Contributes to neighborhood aesthetic.

Describe contribution:

Profiled in a publication or other media: ____Yes __X__Unknown

Tree has received print, internet, and/or video media coverage. **Attach documentation** if appropriate.

Describe coverage:

High traffic area: ____Yes __X__No

High visibility, possible traffic calming effect.

Describe: ______Though located next to a street, this is not a high traffic area__________________

Low tree density: __X__Low ____Moderate ____High

Tree exists in a neighborhood with very few trees.

Describe: ____

Extends between multiple properties: ____Yes __X__No

High visibility, multiple neighbors share tree.

Describe: ___Located in Bernal Heights Park______________________________

Accessible from public right-of-way: __X__Yes ____No

High visibility.

Describe: ____

Important wildlife habitat: __X__Yes ____No

Wildlife shelter and/or food (observed or potential). Describe and be as specific as possible. Tree is located in a park which is a habitat for a variety of wildlife ________________________

Interdependent group of trees: ____Yes __X__No

This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Describe: ____

Erosion control: ____Yes __X__No

Tree prevents soil erosion.

Describe: ____

Wind or sound barrier: ____Yes __X__No

Tree reduces wind speed or mitigates undesirable noise.

Describe: ____

Prominent landscape feature: ____Yes __X__No

A striking and outstanding natural feature.

Describe, attach photo if possible: ______________________________

____

Character-defining form: __X__Yes ____No
Tree is an example of good form for its particular species.

Describe: ______________________________

____

Tree condition: __X__Good ____Poor ____Hazard
Consider overall tree health and structure, and whether or not tree poses a hazard

Describe: ______________________________

____

Additional comments

____

____

____

____

____

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

Please attach **optional** supporting documents such as letters, arborist report, etc.

Send to: Urban Forestry Council, c/o Grace Ma, 11 Grove Street, San Francisco, CA 94102
OR grace.ma@sfgov.org

Any information you submit will be part of the public record.
The Public Records Act defines a "public record" broadly to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Govt. Code § 6252(e). The Sunshine Ordinance defines "public information" as the content of "public records" as defined in the Public Records Act. Admin Code § 67.20(b). Pursuant to the Public Records Act and Sunshine Ordinance, this document is a public record and will be available to the public upon request, at the hearing site, at the San Francisco Main Library, and on the Urban Forestry Council's website. Admin Code §§ 8.16, 67.7 (b), and 67.21(a).

Application received date	______________	Received by	______________
Tree evaluation form	______________	UFC recommendation date	______________
Board of Supervisors Decision	______________		
Landmark Tree #	______________	Title recorded date	______________

Updated on April 11, 2007

BERNAL
HEIGHTS
PARK

FILE NO. 071476 RESOLUTION NO.

[Landmark Designation Nomination for tree locate at 3555 Cesar Chavez Street]

Resolution of intent initiating the nomination of the Moreton Bay Fig tree (*Ficus macrophylla*) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

WHEREAS, Trees provide numerous environmental and social benefits such as reducing stormwater runoff, reducing energy use, reducing air pollution, improving air quality, increasing property values and providing wildlife habitat; and

WHEREAS, The Board of Supervisors passed Ordinance Number 17-06, amendment to Public Works Code Section 810, landmark trees, significant trees, and penalties for violation in support of a landmark tree program, and a copy of said Ordinance is on file with the Clerk of the Board of Supervisors in file number 051458 which is incorporated herein by reference; and,

WHEREAS, The Board of Supervisors adopted the Urban Forestry Council's landmark tree designation criteria, forms and procedures in Resolution Enacted Number 440-06. A copy of said Resolution is on file with the Clerk of the Board of Supervisors file number 060487 which is incorporated herein by reference on file with the Clerk of the Board of Supervisors in File No. 071476, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The Moreton Bay Fig tree at 3555 Cesar Chavez Street, pictures of which are on file with the Clerk of the Board of Supervisors in file number 071476 and are incorporated herein as reference, is a native Australian species rare in San Francisco, is large for the species, is of significant age, serves as both a wind barrier and wildlife habitat, and contributes to the community aesthetic with its character defining form and its buttress visible from Bernal Hill: now, therefore, be it

RESOLVED, That the Board, pursuant to Public Works Code Section 810(b), hereby adopts this resolution of intent to initiate landmark tree designation for the Moreton Bay Fig tree located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002) and acknowledges the temporary designation of such tree for landmark status pursuant to Public Works Code Section 810(d); and, be it

FURTHER RESOLVED, That the Board directs the Clerk to forward this Resolution and accompanying documents contained in the file to the Urban Forestry Council to begin the landmark tree designation process for the subject trees; and, be it

FURTHER RESOLVED, That the Board urges the Director of Public Works to immediately notify the affected property owner of the pending nomination and inform said owner of the special permit and approval requirements for removal of landmark trees under Public Works Code 810(f) if such notification has not yet occurred.

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- An authorized nominator is a Supervisor, head of a City department or agency, Planning Commissioner, Landmarks Preservation Advisory Board member, or property owner.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
- A property owner may nominate a tree on his or her property.
- A member of the public may ask an authorized nominator to nominate a tree.

I am one of the following authorized nominators

☐ Property owner
☑ Board of Supervisor member
☐ Head of a city department or agency
☐ Planning Commission member
☐ Landmarks Preservation Advisory Board member

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department, Property Owner):	Property owner:
Tom Ammiano Name	CPMC (St. Luke's Hospital) Name
1 Dr. Carlton B. Goodlett Place Room 244 Address	Valencia at Cesar Chavez Address
San Francisco, CA 94102 Address	San Francisco, CA 94102 Address
415-554-5144 Phone (day)	415-647-8600 Phone (day)
415-544-5163 Fax #	Fax #
Tom.Ammiano@sfgov.org Email	Email

Member of the public who initiated nomination
(if applicable):

Mike Boss
Name
1615 Cortland Avenue
Address
San Francisco, CA 94110
Address
415-559-0113
Phone (day)
415-824-3377
Fax #
Mboss@rockandrose.com
Email

I am an authorized nominator and I support this nomination.

____________________ Signature
____________________ Date

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

____________________ Signature
____________________ Date

TREE DESCRIPTION

Tree name (species and common name): Ficus Macrophylla-Moreton Bay Fig

Number of trees: 1

Street address: Valencia and Cesar Chavez

Location of Tree: ☐ Front yard ☐ Rear yard ☐ Side yard ☐ Corner-side yard
☐ Public right-of-way ☐ Public lands ☐ Not sure
☐ Other: ____________________

GPS units (OPTIONAL): ____________________

Height 60 feet
Average canopy width[1] 40 feet
Circumference at chest level[2] 122 inches
Circumference at ground level[3] 204 inches

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. If you need more space to describe the tree, please attach additional sheets.

Rarity: __X__Rare ____Uncommon ____Common ____Other

Unusual species in San Francisco. Also consider rarity in California, North America, world.

Comment: ____________Rare in San Francisco____

Size: __X__Large ____Medium ____Small

Notable size (height, diameter, canopy width) compared to other trees of the same species.

Comment: ____

Age: Significantly advanced age for this species (known or estimated).

Comment: __________Unsure but likely a significant figure____________________________________

Historical Association: __X__ Yes ____ None apparent

Related to a historic or cultural building, site, street, person, event, etc.

Describe nature of appreciation: _Believed to be related to the Bancroft Library with historical significance

Ethnic appreciation: ____Yes __X__None apparent

Particular value to certain ethnic groups in neighborhood or city.

Describe nature of appreciation: ____

Neighborhood appreciation: __X__ Yes ____None apparent

Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc. Attach documentation:

Describe: ________________Historical landmark adjacent to tree for the Bancroft Library__________

Planting defines neighborhood character: __X__Yes ____No

Contributes to neighborhood aesthetic.

Describe contribution: ______Character defining form-buttress. Visible from Bernal Hill_________

Profiled in a publication or other media: ____Yes _X__Unknown

Tree has received print, internet, and/or video media coverage. **Attach documentation** if appropriate.

Describe coverage: ____

High traffic area: _X___Yes ____No

High visibility, possible traffic calming effect.

Describe: _____Adjacent to sidewalk and on Valencia street__________________________

Low tree density: __X__Low ____Moderate ____High

Tree exists in a neighborhood with very few trees.

Describe: ____________Very few trees in neighborhood______________________________

Extends between multiple properties: ____Yes ___X_No

High visibility, multiple neighbors share tree.

Describe: ____

Accessible from public right-of-way: __X__Yes _____No

High visibility.

Describe: _________Within St. Luke's gate but accessible and visible 24 hours per day________

Important wildlife habitat: __X__Yes ____No

Wildlife shelter and/or food (observed or potential). Describe and be as specific as possible.

Interdependent group of trees: _____Yes __X__No

This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Describe: ____

Erosion control: _____Yes __X__No

Tree prevents soil erosion.

Describe: ____

Wind or sound barrier: __X__Yes ____No

Tree reduces wind speed or mitigates undesirable noise.

Describe: ______________________Wild Barrier__________________________________

____

Prominent landscape feature: _X__Yes ____No

A striking and outstanding natural feature.

Describe, attach photo if possible: ________________________________

____

Character-defining form: __X__Yes ____No
Tree is an example of good form for its particular species.

Describe: _______________Trunk and canopy____________________

____

Tree condition: __X__Good ____Poor ____Hazard
Consider overall tree health and structure, and whether or not tree poses a hazard

Describe: ___________________Excellent condition______________________________

____

Additional comments

____

____

____

____

____

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

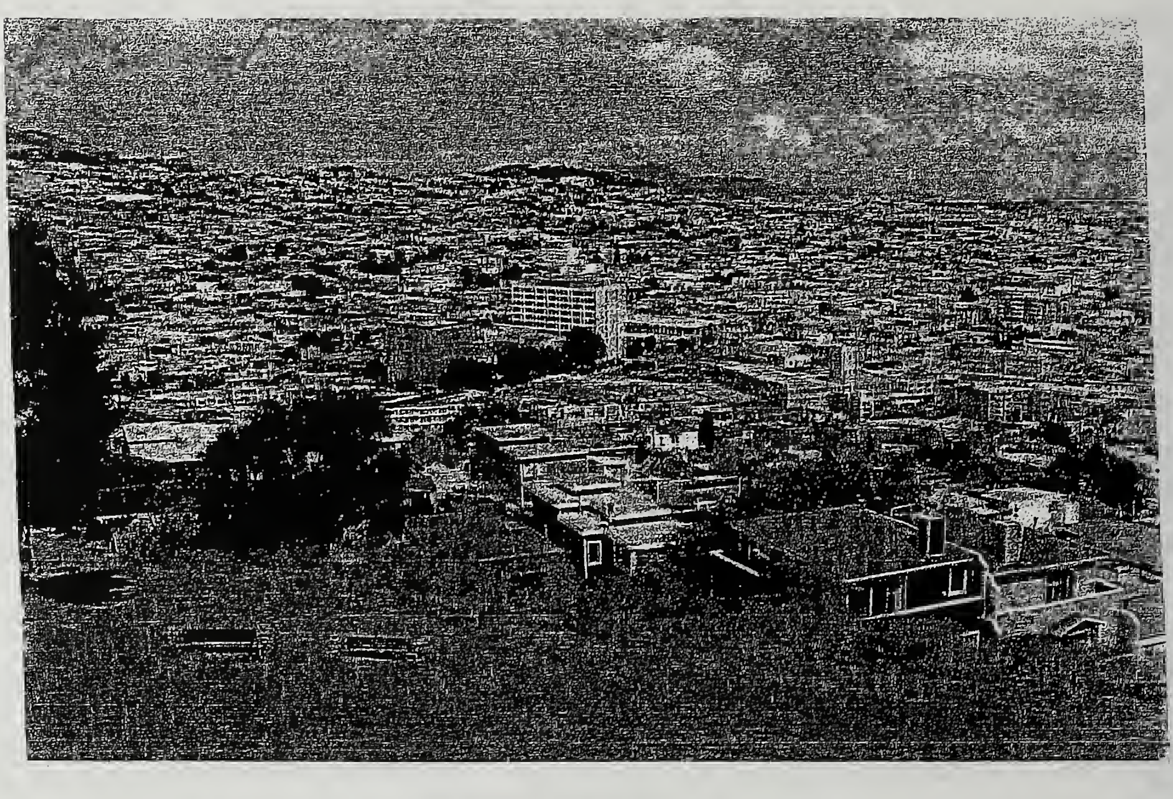
A photograph of the tree must be submitted with this form.

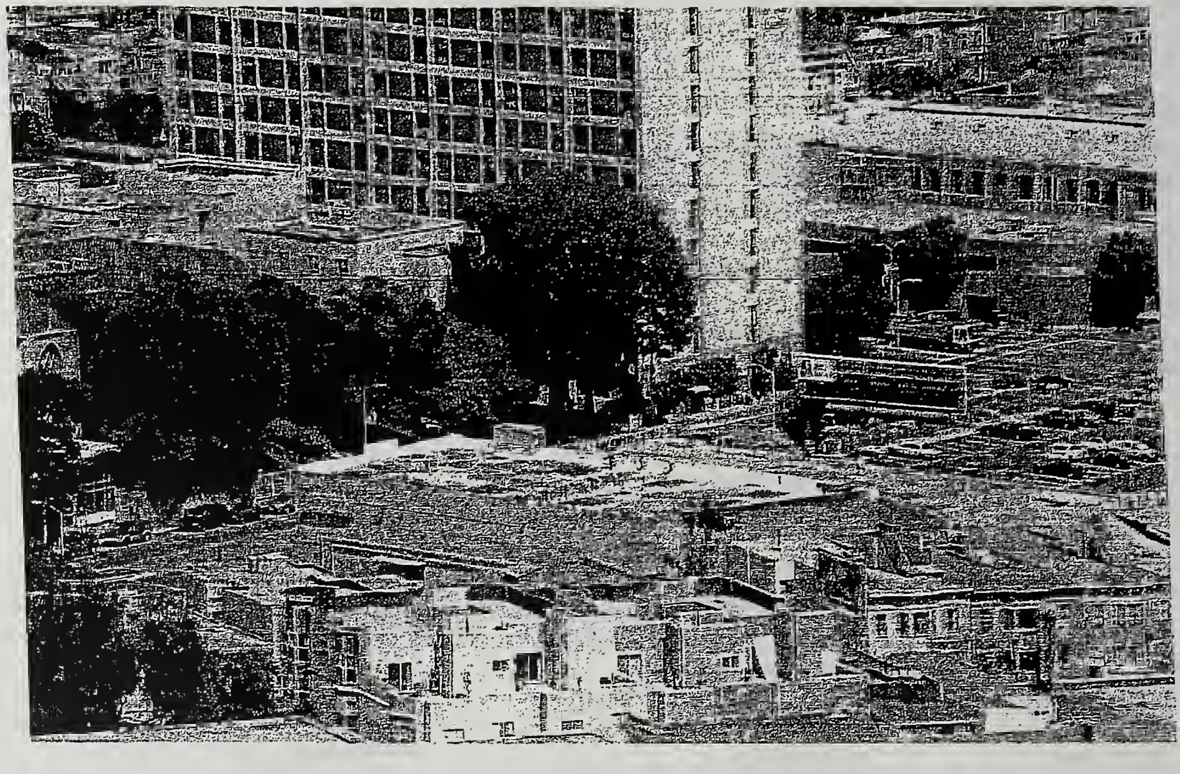
Please attach **optional** supporting documents such as letters, arborist report, etc.

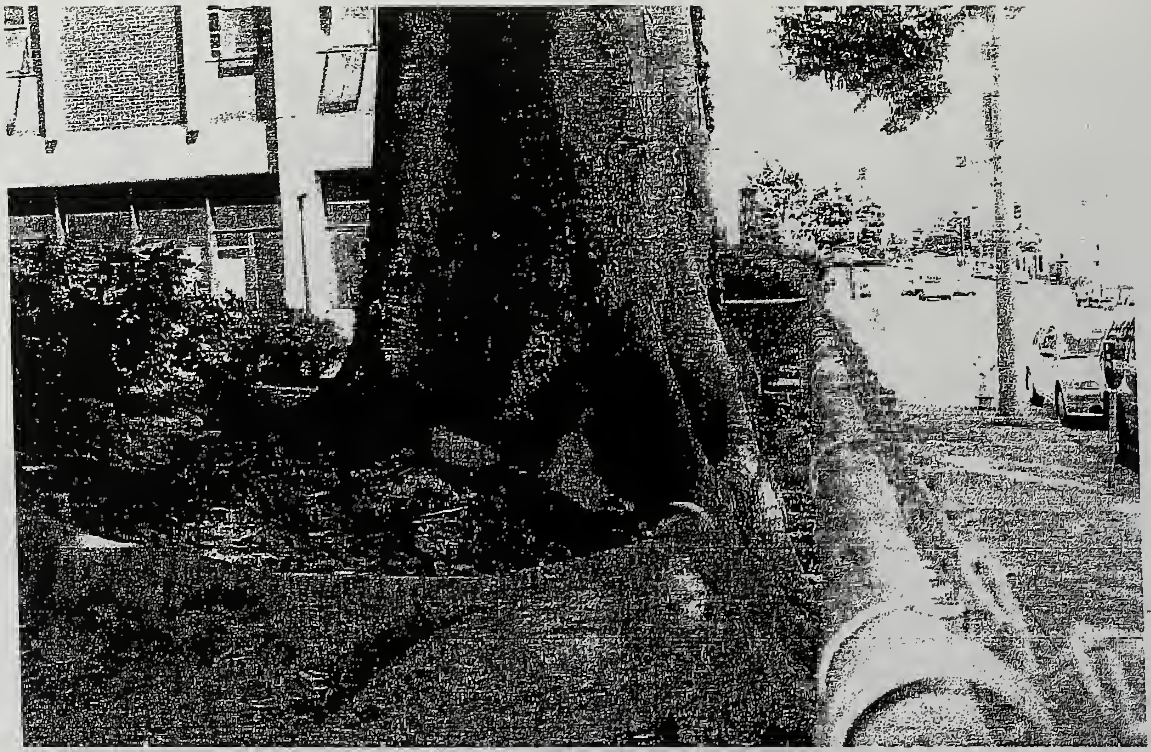
Send to: Urban Forestry Council, c/o Grace Ma, 11 Grove Street, San Francisco, CA 94102
OR grace.ma@sfgov.org

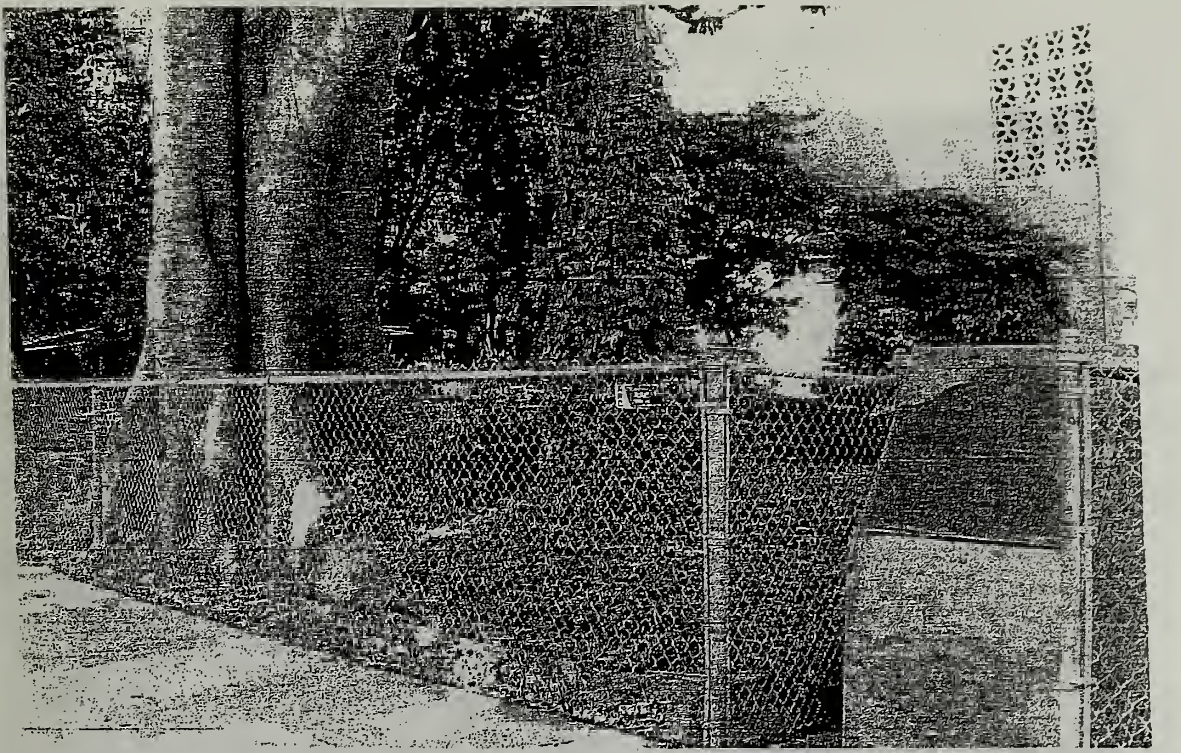
Any information you submit will be part of the public record.
The Public Records Act defines a "public record" broadly to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Govt. Code § 6252(e). The Sunshine Ordinance defines "public information" as the content of "public records" as defined in the Public Records Act. Admin Code § 67.20(b). Pursuant to the Public Records Act and Sunshine Ordinance, this document is a public record and will be available to the public upon request, at the hearing site, at the San Francisco Main Library, and on the Urban Forestry Council's website. Admin Code §§ 8.16, 67.7 (b), and 67.21(a).

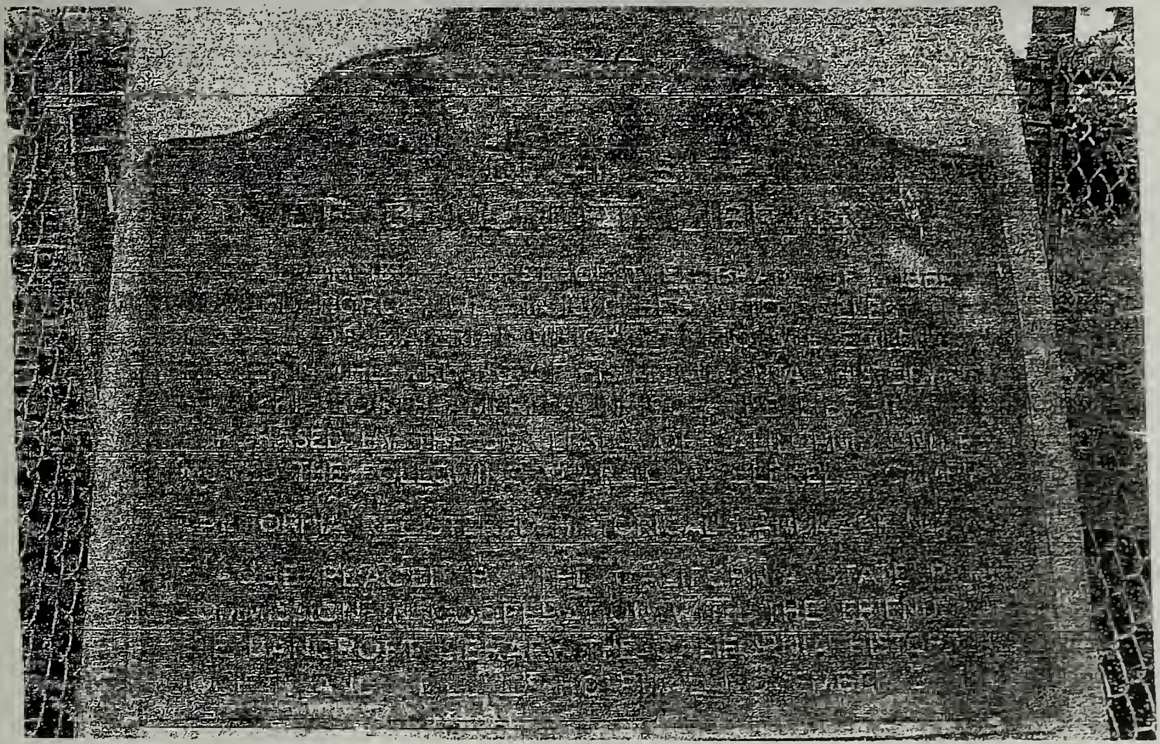
Application received date	__________	Received by	__________
Tree evaluation form	__________	UFC recommendation date	__________
Board of Supervisors Decision	__________		
Landmark Tree #	__________	Title recorded date	__________











FILE NO. 071477 RESOLUTION NO.

[Landmark Designation Nomination for two trees located at 500 Cortland Street in front of Bernal Heights Library]

Resolution of intent initiating the nomination of two Flowering Ash trees (*Fraxinus ornus)* located at 500 Cortland Street, in front of Bernal Heights Library (Assessor's Bock 5707, Lot 027) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

WHEREAS, Trees provide numerous environmental and social benefits such as reducing stormwater runoff, reducing energy use, reducing air pollution, improving air quality, increasing property values and providing wildlife habitat; and

WHEREAS, The Board of Supervisors passed Ordinance Number 17-06, an amendment to Public Works Code Section 810, landmark trees, significant trees, and penalties for violation in support of a landmark tree program, and a copy of said Ordinance is on file with the Clerk of the Board of Supervisors in file number 051458 which is incorporated herein by reference; and,

WHEREAS, The Board of Supervisors adopted the Urban Forestry Council's landmark tree designation criteria, forms and procedures in Resolution Enacted Number 440-06. A copy of said Resolution is on file with the Clerk of the Board of Supervisors file number 060487 which is incorporated herein by reference on file with the Clerk of the Board of Supervisors in File No. 071477 , which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The two Flowering Ash trees (*Fraxinus Ornus)* in front of Bernal Heights Library, pictures of which are on file with the Clerk of the Board of Supervisors in file numb

071477 , are a native European species rare in San Francisco, are large for the species, and contribute to the aesthetic of Bernal Heights Library, which has been part of community since 1936 and at its present location since 1940: now, therefore be it

RESOLVED, That the Board, pursuant to Public Works Code Section 810(b), hereby adopts this resolution of intent to initiate landmark tree designation for the two Flowering Ash trees located at 500 Cortland Street in front of Bernal Heights Library (Assessor's Block 5705, Lot 027) and acknowledges the temporary designation of such tree for landmark status pursuant to Public Works Code Section 810(d); and, be it

FURTHER RESOLVED, That the Board directs the Clerk to forward this Resolution and accompanying documents contained in the file to the Urban Forestry Council to begin the landmark tree designation process for the subject trees; and, be it

FURTHER RESOLVED, That the Board urges the Director of Public Works to immediately notify the affected department of the pending nomination and inform said department of special approval requirement for removal of landmark trees under Public Works Code 810(f) if such notification has not yet occurred.

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- An authorized nominator is a Supervisor, head of a City department or agency, Planning Commissioner, Landmarks Preservation Advisory Board member, or property owner.
- The Board of Supervisors, Planning Commission, Landmarks Preservation Advisory Board and the head of a City department or agency may nominate a tree.
- The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
- A property owner may nominate a tree on his or her property.
- A member of the public may ask an authorized nominator to nominate a tree.

I am one of the following authorized nominators

- ☐ Property owner
- ☒ Board of Supervisor member
- ☐ Head of a city department or agency
- ☐ Planning Commission member
- ☐ Landmarks Preservation Advisory Board member

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department, Property Owner):	Property owner:
Tom Ammiano	City and County of San Francisco
Name	Name
1 Dr. Carlton B. Goodlett Place Room 244	(DPW maintains)
Address	Address
San Francisco, CA 94102	
Address	Address
415-554-5144	
Phone (day)	Phone (day)
415-544-5163	
Fax #	Fax #
Tom.Ammiano@sfgov.org	
Email	Email

Member of the public who initiated nomination
(if applicable):

Mike Boss
Name
1615 Cortland Ave.
Address
San Francisco, CA 94110
Address
415-559-0113
Phone (day)

Fax #
Mboss@rockandrose.com
Email

I am an authorized nominator and I support this nomination.

Tom ______ Signature

______ Date

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

______ Signature

______ Date

TREE DESCRIPTION

Tree name (species and common name): *Fraxinus ornus* – Flowering Ash

Number of trees: 2

Street address: 500 Cortland, in front of Bernal Heights Library

Location of Tree: ☐ Front yard ☐ Rear yard ☐ Side yard ☐ Corner-side yard
X Public right-of-way ☐ Public lands ☐ Not sure
☐ Other: ______

GPS units (OPTIONAL): ______

Height 23 feet
Average canopy width[1] 23 feet
Circumference at chest level[2] ______ inches
Circumference at ground level[3] ______ inches

1 Distance from one edge to opposite edge of tree canopy
2 Distance around trunk at 4.5 ft off the ground. http://www.isa-arbor.com/publications/tree-ord/heritage.aspx
3 Distance around trunk on the ground where the trunk meets the soil.

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. If you need more space to describe the tree, please attach additional sheets.

Rarity: __X__Rare ____Uncommon ____Common ____Other

Unusual species in San Francisco. Also consider rarity in California, North America, world.

Comment: rare in San Francisco, native to Europe

Size: __X__Large ____Medium ____Small

Notable size (height, diameter, canopy width) compared to other trees of the same species.

Comment: large tree for species

Age: Significantly advanced age for this species (known or estimated).

Comment: Unknown

Historical Association: __X__ Yes ____ None apparent

Related to a historic or cultural building, site, street, person, event, etc.

Describe nature of appreciation: There is an historical association with the Bernal Heights Library which they are planted in front of

Ethnic appreciation: ____Yes __X__None apparent

Particular value to certain ethnic groups in neighborhood or city.

Describe nature of appreciation: ____

Neighborhood appreciation: ____ Yes __X__None apparent

Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc. Attach documentation:

Describe: ____

Planting defines neighborhood character: __X__Yes ____No

Contributes to neighborhood aesthetic.

Describe contribution: The trees contribute to the Library's aesthetic, the library being part of the community since 1936 and at its present location since 1940.

Profiled in a publication or other media: ____Yes __X__Unknown

Tree has received print, internet, and/or video media coverage. **Attach documentation** if appropriate.

Describe coverage: ____

____

High traffic area: __X__Yes ____No

High visibility, possible traffic calming effect.

Describe: ____

____

Low tree density: ____Low __X__Moderate ____High

Tree exists in a neighborhood with very few trees.

Describe: ____

____

Extends between multiple properties: ____Yes __X_No

High visibility, multiple neighbors share tree.

Describe: __Trees are located on sidewalk______________________________

Accessible from public right-of-way: __X__Yes ____No

High visibility.

Describe: __Visible to all pedestrians and motorists on Cortland Ave.______________

____

Important wildlife habitat: ____Yes __X_No

Wildlife shelter and/or food (observed or potential). Describe and be as specific as possible.

____

____

Interdependent group of trees: __X__Yes ___No

This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Describe: ____

____

Erosion control: ____Yes __X__No

Tree prevents soil erosion.

Describe: ____

____

Wind or sound barrier: ____Yes __X_No

Tree reduces wind speed or mitigates undesirable noise.

Describe: ____________________

Prominent landscape feature: __X__Yes ____No

A striking and outstanding natural feature.

Describe, attach photo if possible: Please see attached photos

Character-defining form: __X__Yes ____No

Tree is an example of good form for its particular species.

Describe: __Though this tree is in fair condition, it is unique in that it is large of its species._____

Tree condition: _X___Good __X__Poor ____Hazard

Consider overall tree health and structure, and whether or not tree poses a hazard

Describe: This tree is in fair condition

Additional comments

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

Please attach **optional** supporting documents such as letters, arborist report, etc.

Send to: Urban Forestry Council, c/o Grace Ma, 11 Grove Street, San Francisco, CA 94102
OR grace.ma@sfgov.org

Any information you submit will be part of the public record.
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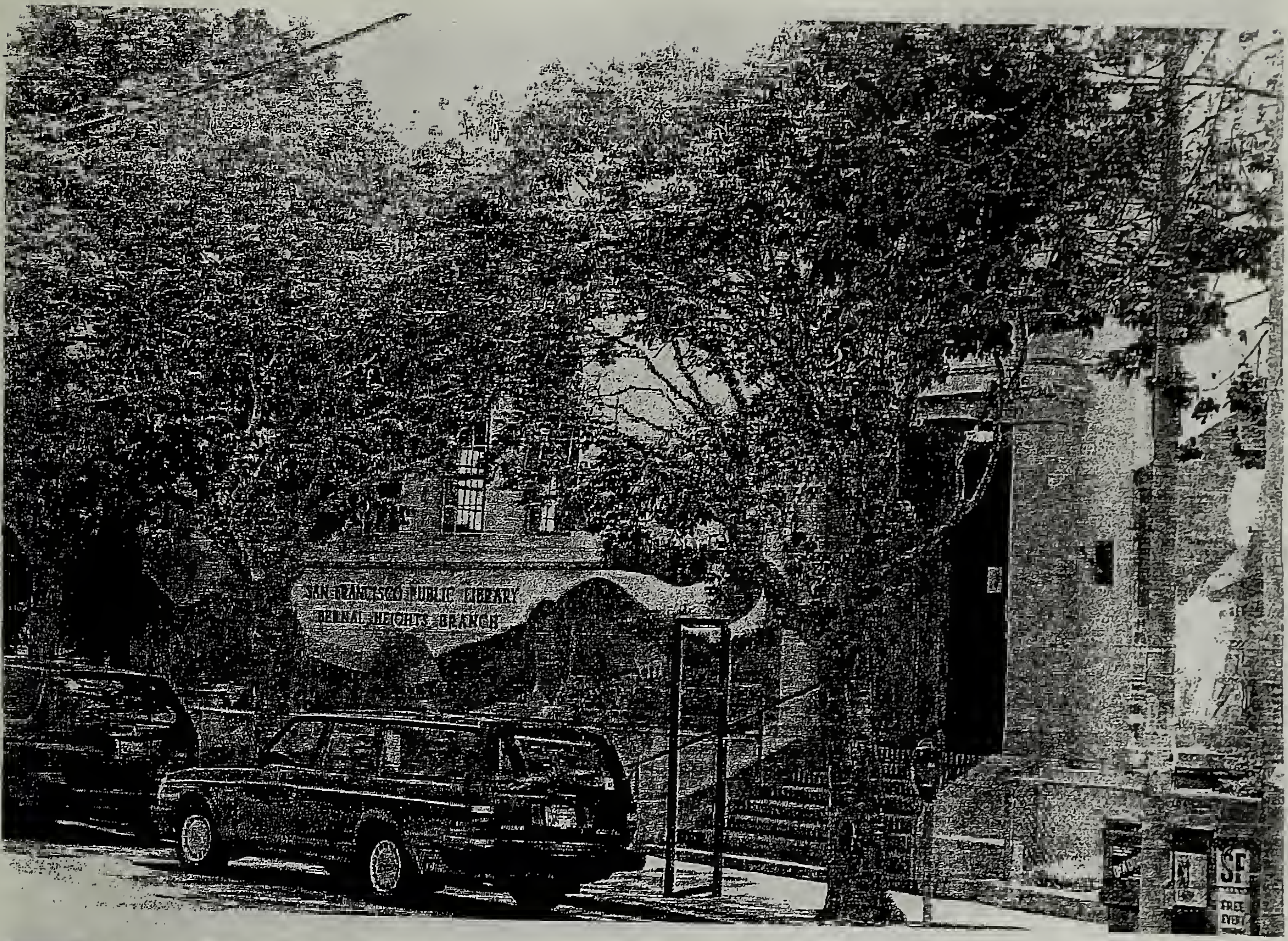
Application received date		Received by	
Tree evaluation form		UFC recommendation date	

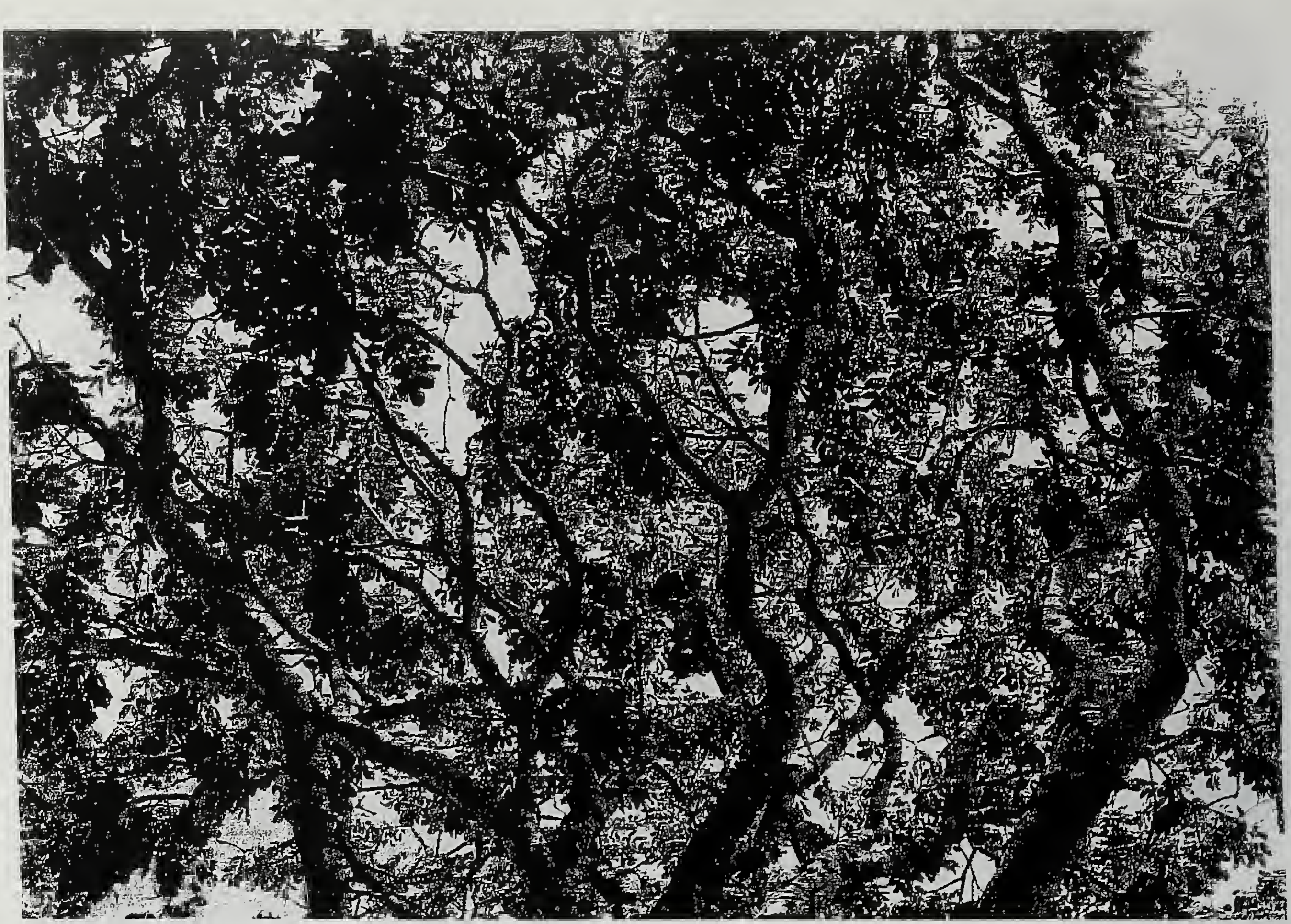
Updated on April 11, 2007

Board of Supervisors Decision ______________________________

Landmark Tree # ____________ Title recorded date ____________


SAN FRANCISCO PUBLIC LIBRARY
BERNAL HEIGHTS BRANCH
SF

America's
Most Reliab
Network



NORTH WEST BERNAL ALLIANCE

PO Box 40989 San Francisco, CA 94140-0989 ~ 415 920 9669 ~ northwestbernal@aol.com
www.northwestbernalalliance.homestead.com

October 25, 2007

Supervisor Tom Ammiano
Board of Supervisors
San Francisco City Hall
1 Dr. Carleton B. Goodlett Place
San Francisco, CA 94102

RE: Letter of Support for Landmark Tree Nomination: Ficus Macrophylla – Moreton Bay Fig at Valencia & Cesar Chavez

Dear Supervisor Ammiano:

The magnificent Moreton Bay Fig, on the grounds of St. Luke's Hospital at Valencia and Cesar Chavez, has been nominated for Landmark Status and the North West Bernal Alliance supports its nomination.

While we enthusiastically endorse the substantial tree-planting program throughout the City, it is the mature tree that truly gives a streetscape stature, and makes a distinguishing presence in the neighborhood. This towering Fig, reaching beyond the 6th floor of the adjacent hospital, is awe inspiring and will continue to bring pleasure to future generations.

The enormous tree's buttresses approach the monument for California Historical Landmark No. 791, the original site of the Bancroft Library, which was located there at 1538 Valencia from 1881 to 1905. Because of the size of the tree, it may date back to that period. What we do know is that many years ago, someone with foresight planted a tree that has become "one of San Francisco's best trees," per author Mike Sullivan of *The Trees of San Francisco*. This tree is an urban treasure.

It is for these reasons, among others outlined on the Nomination Form, that the North West Bernal Alliance is requesting the approval of this tree for Landmark status.

Sincerely,

Laurel Muniz, Chair
North West Bernal Alliance

CC: Urban Forest Council
SF Department of the Environment
11 Grove Street
San Francisco, CA 94102

An All Volunteer Non Profit Neighborhood Organization
"Working Together to Improve the Quality of Life and Unity in Bernal Heights"
Merchants ~ Residents ~ Property Owners

FILE NO. 071405 RESOLUTION NO. 552-07

[Landmark Designation nomination for Mary Ellen Pleasant Trees located at 1661 Octavia Street.]

Resolution of intent initiating the nomination of the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street (Assessor's Block 647 lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

WHEREAS, a landmark tree is a tree on private or public property that has special characteristics including size, age, historical significance, and cultural value; and,

WHEREAS, Mary Ellen Pleasant planted the trees at 1661 Octavia Street giving them an important historical association; and,

WHEREAS, Mary Ellen Pleasant, was a significant figure in San Francisco's history. Ms Pleasant was a 19th Century female entrepreneur of partial African descent who used her fortune to further abolition. She worked on the Underground Railroad across many states and then helped bring it to California during the Gold Rush Era. She was a friend and financial supporter of John Brown and well known in abolitionist circles. After the Civil War she took her battles to the courts and won several civil rights victories, one of which was cited and upheld in the 1980's and resulted in her being called, "The Mother of Human Rights in California"; and,

WHEREAS, Landmark trees have an especially prominent and beautiful visual impact and are of notable size; and,

WHEREAS, these trees have been profiled in print and other media coverage, including The Trees of San Francisco by Michael Sullivan; and,

WHEREAS, The Board of Supervisors passed Ordinance Number 17-06, an amendment to Public Works Code - Sections 801, landmark trees, significant trees, and penalties for violations in support of a landmark tree program a copy of said Ordinance is on file with the Clerk of the Board of Supervisors in file number 051458 which is incorporated herein by reference; and,

WHEREAS, The City's Urban Forestry Council developed landmark tree designation criteria, forms, and procedure and the Board of Supervisors, in Resolution Enacted Number 440-06, adopted said criteria. A copy of such Resolution is on file with the Clerk of the Board of Supervisors file Number 060487 which is incorporated herein by reference; and, be it

RESOLVED, The Board, pursuant to Public Works Code Section 810(b), hereby adopts this Resolution of intent to initiate landmark tree designation for the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street (Assessor's Block 647 lot 002), and acknowledges the temporary designation of such tree for landmark tree status pursuant to Public Works Code Section 810(d); and, be it,

FURTHER RESOLVED, The Board directs the Clerk to forward this Resolution and accompanying documents contained in the file to the Urban Forestry Council to begin the landmark tree designation process for the subject tree; and, be it,

FURTHER RESOLVED, The Board urges the Director of Public Works to immediately notify the affected property owner of the pending nomination and inform said owner of the special permit and approval requirements for removal of landmark trees under Public Works Code Section 81O(f) if such notification has not yet occurred.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 071405 **Date Passed:**

Resolution of intent initiating the nomination of the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street (Assessor's Block 647 lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

October 16, 2007 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty

File No. 071405

I hereby certify that the foregoing Resolution was ADOPTED on October 16, 2007 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

Angela Calvillo
Clerk of the Board

10/22/2007

Date Approved

Mayor Gavin Newsom

San Francisco Urban Forestry Council
Criteria for Landmark Tree Evaluation

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the Urban Forestry Council has developed these criteria for evaluating potential landmark trees in San Francisco.

When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would.

Rare: Unusual species in San Francisco. Also consider rarity in California, North America, world.

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced age (known or estimated).

Historical association: Related to a historic or cultural building, site, street, person, event, etc.

Ethnic appreciation: Particular value to certain ethnic groups in neighborhood or city.

Neighborhood appreciation: Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Planting defines neighborhood character: Contributes to neighborhood aesthetic.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

High traffic area: High visibility, possible traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Extends between multiple properties: High visibility, multiple neighbors share tree.

Accessible from public right-of-way: High visibility.

Important wildlife habitat: Wildlife shelter and/or food (observed or potential).

Interdependent group of trees: This tree forms a supercanopy and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion.

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Prominent landscape feature: A striking and outstanding natural feature.

Character defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard.

URBAN FORESTRY COUNCIL
CRITERIA FOR LANDMARK TREE EVALUATION (DRAFT)

Pursuant to Ordinance 0017-06 and Public Works Code Section 810, the UFC has developed these criteria for evaluating potential landmark trees in San Francisco. When evaluating or considering potential landmark trees, please consider the context of the tree within its site location. For example, a tree on PUC land may not have the same community importance that a street or park tree would. Use comment sections, as appropriate, to explain or support evaluation. Attach sheets if more space is needed.

Rarity: Unusual species in San Francisco. Also consider rarity in San Francisco (region or ecological zone).

Size: Notable size compared to other trees of the same species.

Age: Significantly advanced in age for this species.

Historical Association: Related to a historic building, site, street, person, event, etc.

Cultural appreciation: Particular value to certain cultural, ethnic or religious group in the city.

Neighborhood appreciation: Multiple neighbors appreciate tree as shown by indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc.

Tree ? neighborhood character: Tree contributes significantly to neighborhood aesthetic.

Prominent landscape feature: A striking, and outstanding natural feature.

Profiled in a publication or other media: Tree has received print, internet, video media coverage.

Traffic calming value: Tree is located in an area that has a high volume of vehicular, pedestrian or bike traffic and has a potential traffic calming effect.

Low tree density: Tree exists in a neighborhood with very few trees.

Visible or Accessible from public right-of-way. High visibility and/or access from public property.

Important wildlife habitat: This type of tree has a know relationship with a particular wildlife species or it provides food, shelter, or nesting to specific known wildlife individuals.

Interdependent group of trees: This tree is an integral member of a group of trees, and removing it may have an adverse impact on adjacent trees.

Erosion control: Tree prevents soil erosion

Wind or sound barrier: Tree reduces wind speed or mitigates undesirable noise

Character-defining form: Tree is an example of good form for its particular species.

Tree condition: Consider overall tree health and structure, and whether or not tree poses a hazard

Return to Provision 31

Guidelines for Developing and Evaluating Tree Ordinances

Defining special trees: heritage, historic, and landmark trees

As noted in our discussion of provision 31, individual trees may be considered important community resources because of unique or noteworthy characteristics or values. Such trees have been described in ordinances as heritage, historic, landmark, legacy, special interest, significant, or specimen trees or various permutations of these terms (e.g., heritage oak, exceptional specimen tree). In some ordinances, trees are simply labeled protected trees (i.e., trees afforded protection by the ordinance). Regardless of the term used, the concept is the same: trees with certain characteristics are singled out for special consideration in the ordinance. Most commonly, one or more of the following criteria are used to define a special status tree:

Size - Some component of tree size, most frequently trunk diameter, may be used to define a special status tree. Most commonly, a given diameter at 4.5 ft above grade (i.e., diameter at breast height or DBH) is used as the size standard. Additional rules are typically needed to handle trees that are multi-trunked or branch below 4.5 ft. Because the relationships between DBH and canopy spread or DBH and tree age vary by species, different tree diameter standards may be applied to different species.

Although a tree diameter standard is fairly objective, the threshold diameter is often set more or less arbitrarily. As such, management decisions based solely on a threshold diameter may not be particularly logical. For example, if the threshold diameter for protecting a tree is 24 inches DBH, a tree with a diameter of 23.9 inches would be ignored, even though it might have a greater canopy spread than a tree with a larger DBH. Furthermore, the measurement of DBH with standard equipment such as diameter tapes or calipers is subject to errors related to trunk or bark irregularities and minor shifts in the location of the measuring device. A tree with a DBH measured as 24.2 inches by one observer could be measured at 23.5 inches by another observer. These problems are minimized when small threshold diameters (e.g., 3 inches) are used.

Other components of tree size, such as maximum canopy spread or height, may also be considered independently or in conjunction with tree diameter. The National Register of Big Trees, maintained by American Forests, uses a point system to rate tree size. Points for each tree are calculated by summing trunk circumference (at 4.5 ft) in inches, tree height in feet, and one-quarter of the average crown spread in feet. This system is used to determine "champion" trees for each species. Some ordinances expressly confer special tree status on state or national champion trees. More local "champion" trees could be defined using the same methods.

Species - Special status may be conferred only to certain species of trees. Special status trees are often, but not always, important locally native species or trees that are associated with the character of a community. Certain species that are relatively rare in an area, whether native or not, may also be granted special status. In some cases, species is used to specifically exempt certain trees from special status regardless of size. For instance, weedy trees such as tree-of-heaven (*Ailanthus altissima*) or trees used for commercial purposes (e.g., fruit trees, plantation lumber or pulp trees) may be excluded from

consideration as special status trees. Unless interspecific hybrids are present in an area or the taxonomy of a species changes, species is probably the most objective criterion used in defining special status trees.

Age - Especially old trees are a link to the past, so many definitions of special status trees include age as a criterion. In practice, tree age is fairly difficult to determine in standing trees unless documentation of tree age exists from historical accounts, photographs, or associations with historical structures. Tree age is sometimes inferred from tree size, especially DBH. However, the relationship between age and DBH varies with species, site quality, management history, and other factors, so DBH is usually only a crude estimator of tree age. Determining age by increment boring is theoretically possible, but is potentially damaging to the tree and is fraught with difficulties if trees are large, have very hard wood, or are decayed in the center.

Historic significance - A tree may be associated with a notable local or regional historical event, person, structure, or landscape. Almost every tree that has been around for a while has some historical significance, whether it is recognized or not. Determining whether the historical significance of a given tree is sufficiently notable is therefore a subjective matter. Historic tree status is typically granted by a governing (e.g., city council) or advisory body (e.g., tree commission). Some ordinances automatically confer historic status on trees designated as historical landmarks by certain other organizations (e.g., historical societies). In addition, ordinances may assign special status to trees dedicated or planted as public memorials.

Ecological value - All trees serve a variety of ecological functions. Certain trees or groups of trees may have especially high ecological value because of their location, size, species, and/or condition. For example, a given tree may be an important roost, nesting site, or food source for certain wildlife species; it may be situated in a site where it plays a critical role in stabilizing soil or providing shade needed by other plant or animal species; it may be an important genetic resource for a local tree population or the species as a whole. Input from trained biologists and ecologists may be necessary to document particular ecological values that may not be obvious to the general public.

Aesthetics - Since beauty is in the eye of the beholder, assigning special status on the basis of aesthetics is always highly subjective. A tree may have special aesthetic value due to its form, whether it is especially perfect and symmetrical or notably craggy and idiosyncratic. Also, the function that a tree serves in a landscape may be sufficient to justify special status; for example, a landmark pair of trees that frame an entrance. In the absence of other noteworthy characteristics, it may be contentious to base special status upon aesthetics alone.

Location - Trees in particular locations may be accorded special status in recognition of the important aesthetic or ecological functions that they serve. Proximity to a thoroughfare can be used to classify a tree as a street tree, which may be accorded special status whether or not it is in the public right-of-way or is under public or private care. Trees located along or within a set distance from watercourses may also be give special status due to their importance in stabilizing streambanks or providing shaded riverine habitat. In some cases, the location of a tree is considered in conjunction with size or species parameters.

Required plantings and retained trees - If trees are have been preserved or planted as a requirement of development, the community has a vested interest to ensure that the trees are protected. The purpose of planting and tree retention is to develop mature tree canopy, and this cannot occur if the subject trees are eliminated, ruined by topping or other poor maintenance practices, or replaced frequently with young trees. By explicitly providing special status to such trees in the ordinance, a jurisdiction may be able to provide a higher level of regulatory protection to such trees and increase the penalties associated with

unauthorized damage to or removal of the tree.

Other unique characteristics - This grab-bag term may be added to the list of criteria used to designate special status trees because it is difficult to anticipate all possible situations of significance. For example, a given tree may become a local or regional cultural icon due to an event or apparition that is associated with it. This criterion will again be subjective and typically may be invoked through the approval of a governing body.

Because each criterion above has clear limitations and difficulties, most definitions include a combination of criteria. The following definition include examples of many of the criteria discussed above.

> *Protected tree includes all of the following:*
>
> *(1)Private protected tree means any tree with a DBH of six inches or more located on any lot within twenty feet of a street right-of-way (including an approved private street or other access easement) or a tree with a DBH of eight inches or more located within ten feet of any other property line, or a tree with a DBH of twelve inches or more located elsewhere on the lot.*
>
> *(2)Public protected tree means any tree located on lands owned by the city, or other governmental agencies or authorities, or any land upon which easements are imposed for the benefit of the city, or other governmental agencies or authorities, or upon which other ownership control may be exerted by the city, or other governmental agencies or authorities, including rights-of-way, parks, public areas and easements for drainage, sewer, water and other public utilities, with:*
>
> > *(i) A DBH of six inches or more located within a city or other governmental right-of-way, or*
> > *(ii) A DBH of six inches or more and located on any lot within twenty feet of a street right-of-way, or*
> > *(iii) A DBH of eight inches or more located on any lot within ten feet of any other property line, or*
> > *(iv) A DBH of twelve inches or more located elsewhere on the lot.*
>
> *(3) Exceptional specimen tree means any tree which is determined by the City Council to be of unique and intrinsic value to the general public because of its size, age, historic association or ecological value or any tree designated a Florida State Champion, United States Champion or World Champion by the American Forestry Association. The Chief shall keep a record of all specimen trees so designated and their location.*
>
> [Jacksonville, FL: Ordinance code Title XVII, Section 656.1203bb]

As noted in provision 31, special tree status is best targeted at individual trees, typically in areas that do not have natural stands of trees. When stands of trees or patches of forest or woodland are the topic of concern, the approach described in provision 32 (forest and woodland conservation) may be more

appropriate.

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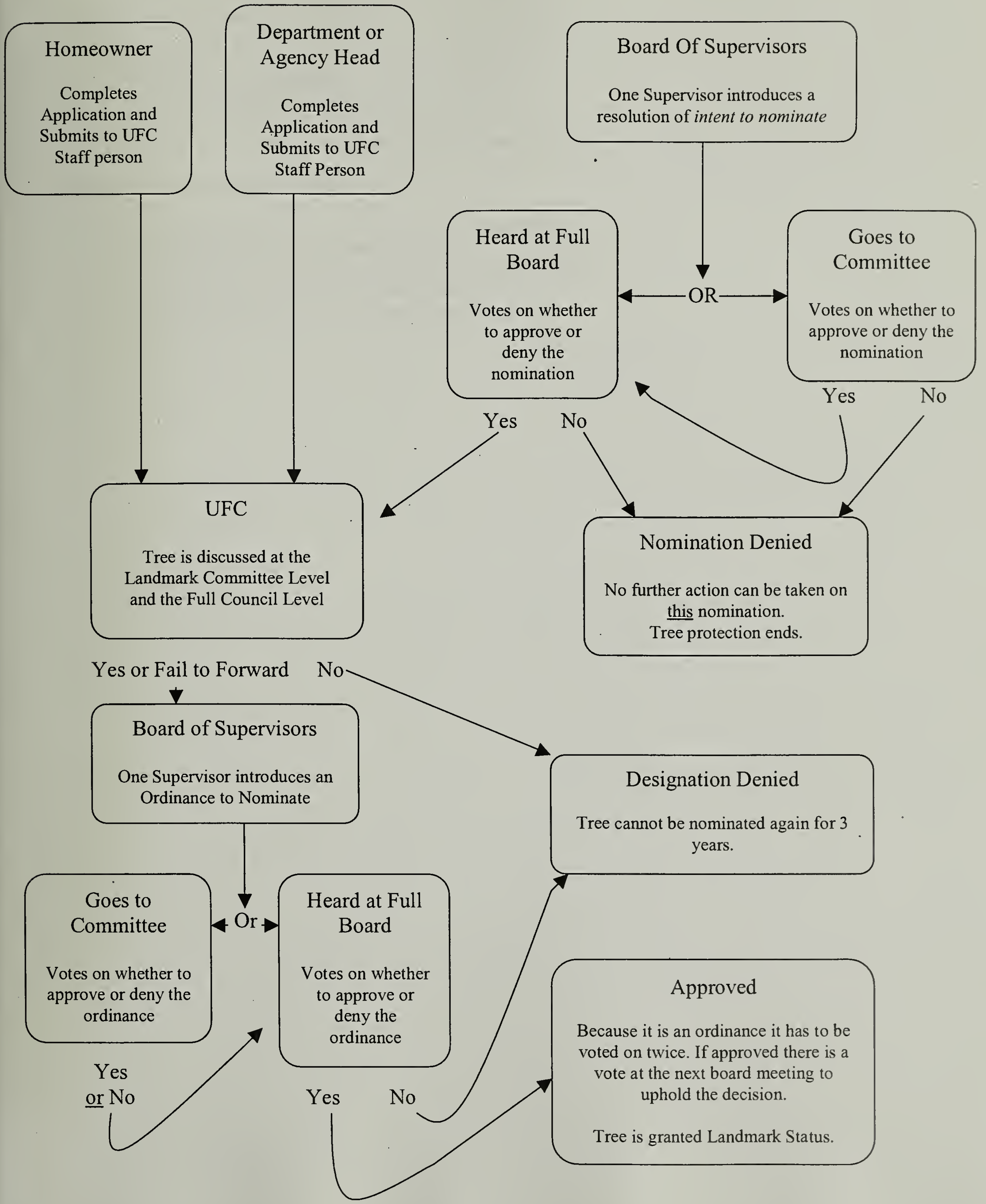
ISA home page | Submit comments or suggestions

Landmark Tree Ordinance Process


Homeowner
Completes Application and Submits to UFC Staff person
Department or Agency Head
Completes Application and Submits to UFC Staff Person
Board Of Supervisors
One Supervisor introduces a resolution of *intent to nominate*
OR
Heard at Full Board
Votes on whether to approve or deny the nomination
Goes to Committee
Votes on whether to approve or deny the nomination
Yes
No
Yes
No
UFC
Tree is discussed at the Landmark Committee Level and the Full Council Level
Nomination Denied
No further action can be taken on this nomination.
Tree protection ends.
Yes or Fail to Forward
No
Board of Supervisors
One Supervisor introduces an Ordinance to Nominate
Designation Denied
Tree cannot be nominated again for 3 years.
Or
Goes to Committee
Votes on whether to approve or deny the ordinance
Heard at Full Board
Votes on whether to approve or deny the ordinance
Yes or No
Yes
No
Approved
Because it is an ordinance it has to be voted on twice. If approved there is a vote at the next board meeting to uphold the decision.
Tree is granted Landmark Status.

Process for Designating a tree with Landmark Status:

There are three basic steps:

1) Nomination
2) Urban Forest Council Review
3) Board of Supervisor Review

Each step has different sub-steps. The way the steps are accomplished changes with each type of nomination.

There are four groups that can nominate a tree:

1) The homeowner associated with the tree can nominate the tree
2) The Board of Supervisors can nominate a tree
3) The head of any city department or agency can nominate a tree
4) The Planning Commission can nominate a tree
5) Landmark Preservation Advisory Board can nominate a tree

Homeowner Nominations

Step 1- Nomination:

Homeowner sends the packet to the UFC staff person

Step 2- UFC Review:

UFC Landmark Tree committee meets and discusses tree, vote, and then forward findings to the full Council.

The full UF Council will meet and discuss the tree, and vote. If the tree is denied, the process ends. If there is not a majority vote one way or the other, the tree is forwarded to the Board of Supervisors with no recommendation. If the tree is approved, the tree is forwarded to the Board of Supervisors with the recommendation to Landmark.

Step 3-BoS Review:

Staff person will find a supervisor to introduce the tree.

The Supervisor will introduce an ordinance to Landmark the tree.

The tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again. The tree is either granted Landmark Status or is denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

OR

Staff person will find a supervisor to introduce the tree.

The Supervisor will introduce an ordinance to Landmark the tree without assigning to committee. All board members present must vote to allow the tree to skip the committee level and be heard at the full board.

If even one board member votes against hearing without assigning to committee, the tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again to grant or deny Landmark Status. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

If they vote to here the tree without reference to committee, it is put on the agenda for the next BoS full meeting and it is voted on and either approved or denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

Board of Supervisors Nominations

Step 1- Nomination:

One City Supervisor drafts a resolution for intent to nominate a tree for Landmark Status.
The resolution is heard at the full board meeting and the resolution is assigned to a committee
The resolution is heard in committee, where there is the opportunity for public comment
The resolution is heard by the full board, again, and either nominated and passed to the UFC or is killed.

OR

One City Supervisor introduces the tree without assigning to committee All board members present must vote to allow the tree to skip the committee level and be heard at the full board.

If even one board member votes against hearing without assigning to committee, the tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again. The nomination is either approved or denied.

If they vote to here the tree without reference to committee, it is put on the agenda for the next BoS full meeting and the nomination is either approved or denied.

Step 2- UFC Review:

UFC Landmark Tree committee meets and discusses tree, vote, and then forward findings to the full Council.

The full UF Council will meet and discuss the tree, and vote. If the tree is denied, the process ends. If the there is not a majority vote one way or the other, the tree is forwarded to the Board of Supervisors with no recommendation. If the tree is approved, the tree is forwarded to the Board of Supervisors with the recommendation to Landmark

Step 3-BoS Review:

The Supervisor who introduced the resolution to nominate will introduce an ordinance to Landmark the tree.

The tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again. The tree is either granted Landmark Status or is denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

OR

The Supervisor will introduce an ordinance to Landmark the tree without assigning to committee. All board members present must vote to allow the tree to skip the committee level and be heard at the full board.

If even one board member votes against hearing without assigning to committee, the tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again to grant or deny Landmark Status. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

If they vote to here the tree without reference to committee, it is put on the agenda for the next BoS full meeting and it is voted on and either approved or denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

Planning Commission and Landmark Board Nomination

Step 1- Nomination:

I do not know how either of these entities approve a nomination. Neither has done so yet.

Step 2- UFC Review:

UFC Landmark Tree committee meets and discusses tree, vote, and then forward findings to the full Council.

The full UF Council will meet and discuss the tree, and vote. If the tree is denied, the process ends. If the there is not a majority vote one way or the other, the tree is forwarded to the Board of Supervisors with no recommendation. If the tree is approved, the tree is forwarded to the Board of Supervisors with the recommendation to Landmark

Step 3-BoS Review:

Staff person will find a supervisor to introduce the tree.

The Supervisor will introduce an ordinance to Landmark the tree.

The tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again. The tree is either granted Landmark Status or is denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

OR

Staff person will find a supervisor to introduce the tree.

The Supervisor will introduce an ordinance to Landmark the tree without assigning to committee. All board members present must vote to allow the tree to skip the committee level and be heard at the full board.

If even one board member votes against hearing without assigning to committee, the tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again to grant or deny Landmark Status. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

If they vote to here the tree without reference to committee, it is put on the agenda for the next BoS full meeting and it is voted on and either approved or denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.
The Supervisor will introduce an ordinance to Landmark the tree without assigning to committee. It is put on the agenda for the next BoS full meeting and it is voted on and either approved or denied.

Department and Agency Head Nominations

Step 1- Nomination:

The Department of Agency Head sends the packet to the UFC staff person

Step 2- UFC Review:

UFC Landmark Tree committee meets and discusses tree, vote, and then forward findings to the full Council.

The full UF Council will meet and discuss the tree, and vote. If the tree is denied, the process ends. If the there is not a majority vote one way or the other, the tree is forwarded to the Board of Supervisors with no recommendation. If the tree is approved, the tree is forwarded to the Board of Supervisors with the recommendation to Landmark.

Step 3-BoS Review:

Staff person will find a supervisor to introduce the tree.

The Supervisor will introduce an ordinance to Landmark the tree.

The tree is assigned to a committee and heard at the next committee meeting, then passed to the full board where it is voted on again. The tree is either granted Landmark Status or is denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

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If they vote to here the tree without reference to committee, it is put on the agenda for the next BoS full meeting and it is voted on and either approved or denied. If Landmark Status is granted, the board will vote on it one last time at the next Full Board meeting, or at least five days after the meeting where the vote to approve was passed.

SAN FRANCISCO URBAN FOREST COUNCIL'S LANDMARK TREE COMMITTEE

Dear Members of the Board of Supervisors, Planning Commission, Landmark Preservation Advisory Board, and Directors of any City Agency or Department: (I assume you will list the agencies or departments)

The Urban Forest Council is dedicated to the preservation and care of San Francisco's trees which collectively create our urban forest~~,~~. Landmarking trees not only preserves and protects outstanding specimens and/or groups of trees, but the process and designation also increases neighborhood pride ~~and~~ while ~~highlights~~ highlighting the benefits of trees and how they improve the quality of everyone's life.

With the adoption of the Landmark Tree Ordinance on January 17, 2006, you have a great opportunity, privilege and responsibility to nominate trees within the jurisdiction of the City and County of San Francisco for Landmark status.

The Landmark Tree committee of the Urban Forest Council invites you to nominate trees for Landmark recognition that make~~s~~ a significant impression on our cities heritage.

Trees that are granted Landmark status enjoy increased protection by the City of San Francisco which may add years to their lives and will increase the many benefits that urban dwellers receive from their immense aesthetic, ecological and economic value.

Landmark Trees:

- Instill neighborhood pride by honoring and celebrating unique trees
- Creates a sense of place and care by the city and the neighborhood
- Improves pedestrian and neighborhood safety with traffic calming qualities
- Adds to consumer enjoyment and time spending up to 12% more money
- Increase property value by 1% to 5% depending on the number of other trees
- Clean the air we breathe and create a healthier, happier, relaxed atmosphere
- Beautify living and working environments, making people more productive

We would very much appreciate you and your constituent's favorite landmark tree nomination to heighten public awareness of the importance of preserving and protecting our city's great trees for landmark recognition, to be honored and celebrated for their exceptional landmark qualities.

Thank you for your time and consideration, we look forward to helping you preserve and protect San Francisco's living heritage.

Sincerely yours,

Members of the Landmark Tree Committee
San Francisco Urban Forest Council

Attached "Criteria for Landmark Tree Evaluation" to help you identify qualities of your trees worth for Landmark status.

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
DRAFT MINUTES

Tuesday, November 13, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, Malcolm Hillan, Mark Sustarich

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The Urban Forestry Council Meeting was called to order at 4:10 p.m. Present: Chair Boss, Members Blair, Griswold (4:20 p.m.) and Sustarich; Absent: Member Hillan.

2. **Adoption of Minutes of the October 9, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting** (Discussion and Action). Upon Motion by Member Blair and second by Member Sustarich, the October 9, 2007 Meeting Minutes were approved (AYES: Chair Boss, Members Blair and Sustarich; Absent: Members Hillan and Griswold) (Explanatory Document: Approved Minutes of the October 9, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=69674).

3. **Hearing on Nominations for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the trees nominated at the following addresses meet the criteria for designation as landmark trees. At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nominations and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. **Explanatory Documents Received/Distributed in Committee Meeting: Tree Evaluation Forms, pictures, neighborhood support (PDF)** http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/EvaluationFormsPicturesetcinCommittee.pdf.

   Blue Elderberry Tree (Sambucus Mexicana) located at Folsom Street and Bernal Heights Boulevard in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071475.pdf).

   Staff Analysis: Ms. Hui reported that the tree is deciduous and is overgrown with some blackberry so is not at its most impressive stage at this time. Information contained in the Evaluation Form describing the tree's rarity, age, size, historical association, ethnic appreciation and other relevant categories was discussed. Ms. Hui recommended this tree for landmark status based on the habitat it is able to provide, its rarity in San Francisco, and that it is a native tree. It was stated that this area is a good application for this type of tree and should be preserved. Additional information can be found in the evaluation form explanatory document.

Committee Evaluations: Member Sustarich reported that the Blue Elderberry is a native tree, mature specimen, and has decay that is in the nature of elderberry trees. It was stated that the blackberry should be cleared around the tree so a more thorough inspection of the trunk could be done and in order to make it more presentable. Member Blair stated that the tree does not look very impressive and noted that the tree does have some decay.

Chair Boss reported on his findings on the Blue Elderberry that include: (1) it could be considered a rare tree, as there are not a large number in San Francisco; (2) the tree is a significantly large elderberry much older than the average for the species; (3) Blue Elderberry is not a large tree to begin with so you would not get one with the impressive nature as larger trees; (4) the tree is a naturally occurring remnant, one of the few in San Francisco's natural forest; (5) it is most likely of native stock from the original forest in San Francisco; (6) the tree is currently in a deciduous state, typical of its natural state at this time of year, and that in his estimation trees are just as beautiful in the deciduous state as their leafy state; (7) suggested that pruning or trying to improve the tree not be done in order to preserve its natural form with the exception of removing the blackberry; and (8) the tree is highly visible and accessible. Chair Boss strongly recommended landmark nomination.

Upon Motion by Chair Boss and second by Member Sustarich, the Blue Elderberry Tree (Sambucus Mexicana) located at Folsom Street and Bernal Heights Boulevard in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) was approved for landmark tree status recommendation to the Council (AYES: Chair Boss, Members Blair, Griswold and Sustarich; Absent: Member Hillan). The recommendation for approval and a written summary would be forwarded to the Urban Forestry Council to consider at their December 14 meeting.

Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002). (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071476.pdf)

Staff Analysis: Ms. Hui reported that there are two other trees of this species and potential size in Golden Gate Park, but this is the largest and most outstanding specimen in San Francisco. Evaluation criteria contained in the Evaluation Form describing the tree's rarity, age, size, historical association, ethnic appreciation, profiled in a publication or other media, and other relevant categories were discussed. Ms. Hui strongly recommended this tree for landmark status. Pictures and additional information are contained in the explanatory document above.

Committee Evaluations: Members Blair and Sustarich discussed information contained in their evaluation forms. The North West Bernal Alliance letter in support of landmark status was brought to attention. Member Boss discussed his evaluation of the tree and requested that any additional correspondence showing neighborhood appreciation be included in the nomination packet. Chair Boss stated that the tree is one of the most spectacular trees in San Francisco and strongly recommended landmark tree status. (See explanatory documents for additional information.)

Public Comment: Urban Forestry Council Chair Milne stated that he believes that the tree had been pruned approximately two and a half weeks ago. It was recommended that the tree location state that it is located on the Valencia Street side of St. Luke's Hospital, 3555 Cesar Chavez Street. The Council Secretary stated that she would reflect the location on the Urban Forestry Council Resolution. Deputy City Attorney Cabrera stated that the nomination form should also reflect this location. Council Chair Milne stated that he would discuss the location change with the nominator.

Upon Motion by Chair Boss and second by Member Blair, the Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002 was approved for landmark tree status recommendation to the Council (AYES: Chair Boss, Members Blair, Griswold and Sustarich; Absent: Member Hillan). The recommendation for approval and a written summary would be forwarded to the Urban Forestry Council to consider at their December 14 meeting.

Two Flowering Ash trees (Fraxinus ornus) located at 500 Cortland Street in front of the Bernal Heights Library (Assessor's Block 5707, Lot 027). (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071477.pdf)

Staff Analysis: Ms. Hui reported that the two trees are deciduous so are not very impressive at this time. Evaluation criteria contained in the Evaluation Form describing the tree's rarity, age, size, historical association, ethnic appreciation, and other relevant categories were discussed and pictures were presented.

Deputy City Attorney Cabrera stated that the nominator had introduced the two trees as one Resolution, and the Landmark Tree Ordinance requires that each tree would require their own individual nomination. The Committee can consider and discuss the trees together, but each tree has to have an individual nomination. It was stated that the Council could create two resolutions, and the Deputy City Attorney would create two separate ordinances for the Board to consider if the trees were to be nominated.

Committee Evaluations: Member Sustarich presented an evaluation form and discussed evaluation criteria contained in the form (see explanatory document above). Member Blair stated that she had observed the tree and noticed that there was some decay. It was stated that The Trees of San Francisco lists two other flowering ash trees on Cole Street and that the nominated trees may not be the best of their species. Member Boss stated that the trees are not in perfect health and recommended improvements; e.g. the tree basin should be widened, lights removed. It was stated that there may be historical association with the Bernal Heights Library and stressed the rarity as a significant factor for landmark status.

Chair Boss/second by Member Griswold motioned to approve the two Flowering Ash trees (Fraxinus ornus) located at 500 Cortland Street in front of the Bernal Heights Library (Assessor's Block 5707, Lot 027). The tree was not approved for landmark tree status recommendation to the Council based on a tie vote (AYES: Chair Boss and Griswold; NOES: Members Blair and Griswold; Absent: Member Hillan). The Committee's action would be forwarded along with a written summary to the Urban Forestry Council to consider at their December 14 meeting.

4. **Landmark Tree Initiation of the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street** (Assessor's Block 647 lot 002) (Discussion and Action). The Committee will discuss the trees' current landmark designation and vote on a future action (Explanatory Documents: Board of Supervisors Resolution (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/resolutions07/r0552-07.pdf).

   Ms. Hui reported that Supervisor Maxwell's aide had indicated that Supervisor Maxwell is aware that these trees had been landmarked by the Department of Public Works and does not feel any need to move forward for landmark status again. Deputy City Attorney Cabrera stated that the trees had been landmarked in February of 1996 under Section 810 of the Public Works Code so the tree still has the same protections as if it were landmarked today. It was stated that there are no legal reasons to landmark the tree; however, if the Council wants to landmark the tree and take it through the process, that is a policy decision for the Council to make.

Public Comment: Council Chair Milne reported that these trees were originally proposed for landmarking in 1972 and were stamped as structures of merit in 1974 by the Planning Commission and Landmarks Preservation Advisory Board before they were landmarked in 1996.

Chair Boss recommended that ordinances approving landmark status of all of the trees be sent to the Board of Supervisors as well as a letter explaining that the trees had been previously landmarked in 1996. Upon Motion by Chair Boss and second by Member Sustarich, it was recommended that the Urban Forestry Council consider directing staff to write a letter to the Board of Supervisors that the mature blue gum trees at 1661 Octavia Street had been previously landmarked. Ordinances approving landmark status of the trees would be included as attachments to the letter (AYES: Chair Boss, Members Blair, Griswold and Sustarich; Absent: Member Hillan).

5. **California Urban Forest Conference Summary** (Informational Report and Discussion).
SPEAKER: Chair Mike Boss

Chair Boss stated that the conference was a wonderful event and commended the conference organizers, Mr. Doug Wildman and Friends of the Urban Forest. It was stated that most notably, Ms. Gillian Gillett gave a presentation on permeable landscaping of sidewalks and street medians. Chair Boss suggested that Committee members visit an example on Guerrero Street and San Jose Avenue that has very few trees and is a good reminder that the urban forest is more than just the trees but it is the whole environmental aspect of storm water recharge and the role that herbaceous and other plants play to keep that system active. Ms. Hui stated that Ms. Gillett had indicated that their idea is to widen the sidewalk so street trees can be planted.

Member Sustarich reported that he had attended the conference and that a tour of San Francisco parks was held where Mr. John Thomas gave insight of a landscape architect's perspective. In addition, a presentation was given on using GIS for tree mapping. Ms. Hui reported that she had started to work on www.Sftreemap.org with the program coordinator. It was stated that other cities had indicated their interest in the program, and it is being developed as open-source software. Autodesk had contributed $40,000 in development of the software and in staff time. Member Sustarich stated that the Chief Forester from Los Angeles, Mr. George Gonzalez stated that Los Angeles would be having 50 tree planting functions a month. Activities include (1) events to show people how to plant their trees and select the right tree location, (2) neighborhood outreach; and (3) a workshop day to give people trees for planting.

6. **Landmark Tree Evaluation Criteria.** The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the October 9, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word), http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm.) (Discussion).

Chair Boss stated that he did not have information to share from the conference on this topic, but would be reviewing criteria used in other jurisdictions such as Palo Alto. It was stated that Palo Alto has heritage trees instead of landmark trees and protects three native species of trees automatically, the coast live oak, valley oak and redwood. This agenda item was continued to the December 11, 2007 meeting in order to study models from other jurisdictions and to refine the criteria. Ms. Hui stated that she would do additional research and bring examples to the next meeting.

7. **Landmark Tree Nomination Process** (Informational Presentation and Discussion) (Explanatory Documents: Nomination Process (Word)
http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LMTOrdinanceFlowchart.doc; http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/ProcessforDesignatingatreewithLandmarkStatus.doc

SPEAKER: Mei Ling Hui, Urban Forestry Council Environmental Assistant

Ms. Hui discussed the landmark tree nomination process flowchart that includes three basic steps, e.g., the nomination, Urban Forestry Council review, and Board of Supervisors review. For both the homeowner and department head nominations, paperwork is filled out and turned in for Landmark Tree Committee/Urban Forestry Council review. For Board of Supervisors nominations, one supervisor will introduce a resolution of intent to nominate that would be heard at the full Board or at Committee. If the full Board votes to approve the intent to nominate, it is forwarded to the Landmark Tree Committee/Urban Forestry Council for review. If the nomination is assigned to the Board without Committee reference, the whole Board has to vote yes in order for it to move to the Council; otherwise, it is assigned to Committee. Usually a nomination is assigned to Committee, and if approved moves to the full Board, and then to the Landmark Tree Committee/Urban Forestry Council for review. If either the Committee or the full Board disapproves a nomination that does not mean the nomination cannot be reentered. Until it gets to the Council and we deny it, the wait of three years to re-nominate does not take effect. If a nomination is not passed at a Board Committee, a Supervisor can continuously re-nominate it again until it passes. If the Urban Forestry Council disapproves a nomination or if the Board of Supervisors disapproves a nomination after the Council sends the nomination, then it has to wait another three years before nomination.

Chair Boss clarified that the Council has to disapprove the nomination for the nomination process to end, effectively causing the tree to be denied landmark status. If the Council approves a tree nomination, it goes to the Board of Supervisors. If the Council does not have a recommendation, it still goes to the Board of Supervisors. Ms. Hui stated there are three actions (1) approve the nomination and it is sent to the Board; (2) disapprove with a majority vote and the tree nomination is denied—there will be no further action and it can't get nominated again for three years; or (3) a split vote is not a majority vote so the findings will still go to the Board of Supervisors without recommendation.

Member Blair stated that she believes that if the Council approves or denies a nomination, it goes back to the Board of Supervisors. Chair Boss stated that if the Council disapproves a nomination, it does not go to the Board of Supervisors. If the Council approves or does not have a recommendation, findings would be forwarded to the Board. If the Council disapproves the nomination, designation is denied and can't be considered again for three years. Ms. Hui stated that if the Council approves a nomination or fails to forward findings, it is then either assigned to Board Committee or goes to the full Board without Committee reference. If the full Board disapproves the nomination, then the designation is denied and the tree can't be nominated again for three years. If the Board approves the nomination and it is passed on first reading, and then the next week they hear it again and it passes on second and final reading—the nomination is approved. Ms. Hui reported that the Landmarks Preservation Advisory Board and Planning Commission have not yet set their protocol for the landmark tree nomination process.

8. **Outreach Plan for Landmarking of Trees**. The Committee will vote to approve a final outreach letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and

Action) (Explanatory Document: Draft Outreach Letter (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/OutreachLetterfor%20LMTwithCarolynandJocelynedits.doc) (Continued from the October 9, 2007 Meeting).

Ms. Hui reported that Members Blair and Cohen provided edits to the outreach letter presented for review. Member Boss recommended that a link to the landmark tree process be added to the letter. Council members and staff provided additional edits. A revised letter would be forwarded to Committee members to provide additional comments, and a final would be brought back to the Landmark Tree Committee for review and approval at their December 11 meeting.

9. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion) (Continued discussion from the October 9, 2007 Meeting).

   Chair Boss stated that his concern is that without visible identification, landmark trees could inadvertently be damaged by a tree contractor, property owner, or someone else that would have no way of knowing that the tree is a landmark. It was stated that historic buildings have a plaque on them and everybody can see and read about it. Chair Boss asked the Committee to consider ways of making the public aware by reviewing types of markings to place on the trees that would be inexpensive, non-damaging, and secure. It was recommended that other municipalities be consulted for their ideas. Committee members provided various recommendations and were asked to send in their suggestions to Ms. Hui to consider at the December 11 meeting. Member Griswold suggested referencing a book or a website that had a list or map of San Francisco landmark trees. Ms. Hui stated that (1) the Department of Public Works maintains a book, Landmark Trees in San Francisco and (2) the www.sftreemap.org will have a separate icon designation for all landmark trees. Member Boss recommended that the Planning & Funding Committee discuss budget considerations for this project. Continued to the December 11 meeting.

10. **New Business/Future Agenda Items** (Information and Discussion). The Council Secretary asked for the Committee to reconsider the effectiveness of the Landmark Tree Committee's 10-day agenda and documentation notification schedule in the case of a tree being nominated by the Board a week before the meeting. This issue would be scheduled for discussion and action at the next meeting in order to reconsider the notification schedule. Ms. Hui reported that the Board of Supervisors approved the 25th Street Coast Live Oak tree for landmark tree status at their meeting today.

11. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

12. **Adjournment.** The Landmark Tree Committee meeting adjourned at 6:07 p.m.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., by clicking on links by each agenda item above, or upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Respectfully submitted by,
Monica Fish
Council Secretary

Approved:

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

SF
E84.96
#2
11/13/07
approved

REGULAR MEETING
APPROVED MINUTES

Tuesday, November 13, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, Malcolm Hillan, Mark Sustarich

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The Urban Forestry Council Meeting was called to order at 4:10 p.m. Present: Chair Boss, Members Blair, Griswold (4:20 p.m.) and Sustarich; Absent: Member Hillan.

2. **Adoption of Minutes of the October 9, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting** (Discussion and Action). Upon Motion by Member Blair and second by Member Sustarich, the October 9, 2007 Meeting Minutes were approved (AYES: Chair Boss, Members Blair and Sustarich; Absent: Members Hillan and Griswold) (Explanatory Document: Approved Minutes of the October 9, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=69674).

3. **Hearing on Nominations for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the trees nominated at the following addresses meet the criteria for designation as landmark trees. At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nominations and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration. **Explanatory Documents Received/Distributed in Committee Meeting: Tree Evaluation Forms, pictures, neighborhood support (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/EvaluationFormsPicturesetcinCommittee.pdf.**

Blue Elderberry Tree (Sambucus Mexicana) located at Folsom Street and Bernal Heights Boulevard in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071475.pdf).

Staff Analysis: Ms. Hui reported that the tree is deciduous and is overgrown with some blackberry so is not at its most impressive stage at this time. Information contained in the Evaluation Form describing the tree's rarity, age, size, historical association, ethnic appreciation and other relevant categories was discussed. Ms. Hui recommended this tree for landmark status based on the habitat it is able to provide, its rarity in San Francisco, and that it is a native tree. It was stated that this area is a good application for this type of tree and should be preserved. Additional information can be found in the evaluation form explanatory document.

Committee Evaluations: Member Sustarich reported that the Blue Elderberry is a native tree, mature specimen, and has decay that is in the nature of elderberry trees. It was stated that the blackberry should be cleared around the tree so a more thorough inspection of the trunk could be done and in order to make it more presentable. Member Blair stated that the tree does not look very impressive and noted that the tree does have some decay.

Chair Boss reported on his findings on the Blue Elderberry that include: (1) it could be considered a rare tree, as there are not a large number in San Francisco; (2) the tree is a significantly large elderberry much older than the average for the species; (3) Blue Elderberry is not a large tree to begin with so you would not get one with the impressive nature as larger trees; (4) the tree is a naturally occurring remnant, one of the few in San Francisco's natural forest; (5) it is most likely of native stock from the original forest in San Francisco; (6) the tree is currently in a deciduous state, typical of its natural state at this time of year, and that in his estimation trees are just as beautiful in the deciduous state as their leafy state; (7) suggested that pruning or trying to improve the tree not be done in order to preserve its natural form with the exception of removing the blackberry; and (8) the tree is highly visible and accessible. Chair Boss strongly recommended landmark nomination.

Upon Motion by Chair Boss and second by Member Sustarich, the Blue Elderberry Tree (Sambucus Mexicana) located at Folsom Street and Bernal Heights Boulevard in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) was approved for landmark tree status recommendation to the Council (AYES: Chair Boss, Members Blair, Griswold and Sustarich; Absent: Member Hillan). The recommendation for approval and a written summary would be forwarded to the Urban Forestry Council to consider at their December 14 meeting.

Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002). (Explanatory Document: Board of Supervisors Draft Resolution of intent to nominate and Nomination Packet (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/bosagendas/materials/071476.pdf)

Staff Analysis: Ms. Hui reported that there are two other trees of this species and potential size in Golden Gate Park, but this is the largest and most outstanding specimen in San Francisco. Evaluation criteria contained in the Evaluation Form describing the tree's rarity, age, size, historical association, ethnic appreciation, profiled in a publication or other media, and other relevant categories were discussed. Ms. Hui strongly recommended this tree for landmark status. Pictures and additional information are contained in the explanatory document above.

Committee Evaluations: Members Blair and Sustarich discussed information contained in their evaluation forms. The North West Bernal Alliance letter in support of landmark status was brought to attention. Member Boss discussed his evaluation of the tree and requested that any additional correspondence showing neighborhood appreciation be included in the nomination packet. Chair Boss stated that the tree is one of the most spectacular trees in San Francisco and strongly recommended landmark tree status. (See explanatory documents for additional information.)

Public Comment: Urban Forestry Council Chair Milne stated that he believes that the tree had been pruned approximately two and a half weeks ago. It was recommended that the tree location state that it is located on the Valencia Street side of St. Luke's Hospital, 3555 Cesar Chavez Street. The Council Secretary stated that she would reflect the location on the Urban Forestry Council Resolution. Deputy City Attorney Cabrera stated that the nomination form should also reflect this location. Council Chair Milne stated that he would discuss the location change with the nominator.

Upon Motion by Chair Boss and second by Member Blair, the Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002 was approved for landmark tree status recommendation to the Council (AYES: Chair Boss, Members Blair, Griswold and Sustarich; Absent: Member Hillan). The recommendation for approval and a written summary would be forwarded to the Urban Forestry Council to consider at their December 14 meeting.

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4. **Landmark Tree Initiation of the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street** (Assessor's Block 647 lot 002) (Discussion and Action). The Committee will discuss the trees' current landmark designation and vote on a future action (Explanatory Documents: Board of Supervisors Resolution (PDF) http://www.sfgov.org/site/uploadedfiles/bdsupvrs/resolutions07/r0552-07.pdf).

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SPEAKER: Chair Mike Boss

Chair Boss stated that the conference was a wonderful event and commended the conference organizers, Mr. Doug Wildman and Friends of the Urban Forest. It was stated that most notably, Ms. Gillian Gillett gave a presentation on permeable landscaping of sidewalks and street medians. Chair Boss suggested that Committee members visit an example on Guerrero Street and San Jose Avenue that has very few trees and is a good reminder that the urban forest is more than just the trees but it is the whole environmental aspect of storm water recharge and the role that herbaceous and other plants play to keep that system active. Ms. Hui stated that Ms. Gillett had indicated that their idea is to widen the sidewalk so street trees can be planted.

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11. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

12. **Adjournment.** The Landmark Tree Committee meeting adjourned at 6:07 p.m.

Copies of explanatory documents are available to the public at the Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., by clicking on links by each agenda item above, or upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org**.

Respectfully submitted by,
Monica Fish
Council Secretary

Approved: December 11, 2007

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City and County of San Francisco
Urban Forestry Council
LANDMARK TREE COMMITTEE
Regular Meeting Notice and Agenda

Tuesday, December 11, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, Malcolm Hillan, and Mark Sustarich.

Order of Business
Public Comment will be heard before the Committee takes action on any item.

1. **Call to Order and Roll Call**

2. **Adoption of Minutes of the November 13, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting.** (Discussion and Action) Explanatory Document: Draft Minutes of the October 9, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=71673.

3. **Hearing on a Nomination for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following address meets the criteria for designation as a landmark tree (Discussion and Action) (Explanatory Document: Board of Supervisors Resolution http://www.sfgov.org/site/uploadedfiles/bdsupvrs/resolutions07/r0644-07.pdf and Public Correspondence Received (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/PublicCorrespondence.pdf ,http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/1245MasonicPublicOpposition.pdf and Evaluation Form (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/EvalFormCBlair.pdf)

   Black Acacia Tree (Acacia melanoxylon) located at 1245 Masonic Avenue, Assessor's Block 1244, Lot 005.

   At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration.

4. **Landmark Tree Evaluation Criteria.** (Discussion) The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the November 13, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm)

5. **Outreach Plan for Landmarking of Trees**. The Committee will vote to approve a final outreach letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Action) (Explanatory Document: Draft Outreach Letter (Word) (Continued from the November 13, 2007 Meeting).

6. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion). (Continued discussion from the November 13, 2007 Meeting).

7. **2008 Landmark Tree Committee Agenda and Documentation Notification Schedule for 2008** (Discussion and Action). The Landmark Tree Committee will discuss revising the 10-day notice requirements for agendas and documentation.

8. **New Business/Future Agenda Items** (Information and Discussion).

9. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda.

10. **Adjournment.**

The next Landmark Tree Committee meeting will be held on Tuesday, January 14, 2008 at 4:00 p.m., Room 421, City Hall.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Committee Evaluation Reports (8 min total)
7) Staff Rebuttal (3-5 min)
8) Property Owner Rebuttal (3-5 min)
9) Affected property owner rebuttal (3-5 min)
10) Discussion and Action by Committee

Public Comment

At this time, members of the public may address the Committee on items of interest that are within the subject matter jurisdiction of the Committee but are not on today's agenda. Public comment will be taken following each agendized item. Each member of the public may address the Committee for up to three minutes, unless otherwise announced by the Chair. If it is demonstrated that the comments by the public will exceed 15 minutes, the Chair may continue Public Comment to another time during the meeting.

The Brown Act forbids the Committee from taking action or discussing any item or issue not appearing on the posted agenda. This rule applies to issues raised in public comment as well. In response to public comment, not on an agendized item, the Committee is limited to:

1. Briefly responding to statements made or questions posed by members of the public, or
2. Request staff to report back on a matter at a subsequent meeting, or
3. Directing staff to place the item or issue on a future agenda (Government Code Section 54954.2(a).)

Disability Access

The Urban Forestry Council Landmark Tree Committee meetings will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Committee meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact Monica Fish at (415) 355-3709 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call the Mayor's Office on Disability at (415) 554-6789 or (415) 554-6799 (TTY) for additional information.

Know Your Rights Under the Sunshine Ordinance
(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, Frank Darby, Jr., Sunshine Task Force Administrator, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100, fax (415) 252-3112; web site at www.sfgov.org/ethics.

Other Important Information

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Copies of explanatory documents are available to the public at Department of Environment, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., or when possible, on the Department of Environment's webpage: **http://sfgov.org/site/sfenvironment_meeting.asp?id=61012** (by following the links by each agenda item), by following the links by each agenda item above, or, upon request to the Council Secretary, at the above address or telephone number 415-355-3709, or via e-mail at **Monica.Fish@Sfgov.org** within three business days of a meeting. Explanatory documents that are received after posting of this agenda will be available on the website or by request to the Council Secretary at the contact information listed above.

When bringing handouts to meetings, please photocopy on both sides of the paper and try to use post-consumer recycled or tree-free paper. Also, please bring sufficient copies of handouts for both the Commission and the public.

Monica Fish, Council Secretary
TEL: (415) 355-3709; FAX: 415-554-6393

Posted: December 6, 2007

FILE NO. 071571 RESOLUTION NO. 644-07

[Landmark Designation Nomination for Tree Located at 1245 Masonic Avenue]

Resolution of intent initiating the nomination of the Black Acacia Tree at 1245 Masonic Avenue for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.

WHEREAS, The Board of Supervisors adopted Ordinance No. 17-06, which amended the Urban Forestry Ordinance, Public Works Code Sections 801 et seq. concerning landmark and significant trees. A copy of said Ordinance is on file with the Clerk of the Board of Supervisors in File No. 051458 and is incorporated herein by reference; and,

WHEREAS, As part of the implementation of Ordinance No. 17-06, the Urban Forestry Council, after duly noticed public hearings, developed criteria and procedures for the designation and removal of landmark trees and recommended that this Board of Supervisors adopt such criteria and procedures. Said criteria and procedures were subsequently adopted by Resolution No. 0440-06 which is on file with the Clerk of the Board of Supervisors in File No. 060487 and is incorporated herein by reference; and,

WHEREAS, Trees provide numerous environmental, social, and economic benefits such as reducing storm water runoff, reducing energy use, improving air quality, increasing property values, shading for tenants, and promoting wildlife habitat; and provide residents with a source of serenity in the inner city,

WHEREAS, The purpose of this resolution shall be to initiate landmarking proceedings for one Black Acacia Tree, located on Assessor's Block [1244] Lot [005] and listed individually below with corresponding photographs on File with the Clerk and referenced herein; and,

/ / /

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 071571 **Date Passed:**

Resolution of intent initiating the nomination of the Black Acacia Tree at 1245 Masonic Avenue for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.

November 20, 2007 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

File No. 071571

I hereby certify that the foregoing Resolution was ADOPTED on November 20, 2007 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

Angela Calvillo
Clerk of the Board

11·26·07
Date Approved

Mayor Gavin Newsom

SF URBAN FOREST COUNCIL'S Landmark Tree Evaluation Form 2007

Evaluator's Name: CAROLYN BLAIR
Date of Evaluation: November 27, 2007
Common Name: Blackwood Acacia
Street Address: 1245 Masonic Avenue
Cross Street: Haight Street

Rare: **Common.** San Francisco DPW started planting thousands of Blackwood Acacia street trees in the 1960s; today there is less 1% left due to development.

Size: Very large, grand size for San Francisco; only 1% of our total population of large trees, one of the largest street trees. There are other larger species near the Morton Bay Fig on Valencia and Cesar Chavez.

Age: Around 50 years of age. But not significant for its species, could live to be 70 to100 years old. This species is a survivor, no matter how many times it is hit by a truck or van, you can't kill it – it is a good street tree for an urban setting.

Historic Significant or Association: The fact that this tree has survived particularly in this location is significant and a historic. It is part of the 1960 DPW plantings of several thousands throughout the City. These trees are part of the historic Haight Ashbury neighborhood, significant to visitors from other parts of the world. The tree's size and beauty complements the magnificent three-story Victorian homes built in the late 19th century and located on this stretch of Masonic Avenue.

Ethnic Appreciation: Don't know.

Neighborhood Appreciation: Yes! In February and June of 2007, "Long term neighbors living on Masonic Avenue wrote several letters and submitted a petition with twenty nine signatures expressing concern over the tremendous loss of this tree to the SF Board of Appeals. At two DPW hearings, compelling arguments were received and overwhelming testimony was heard that the loss of this irreplaceable tree would severely impact the neighborhood. Replacement trees, even as large as a 48" box could not compare to the size of this mature, visually appealing tree." **(Please see attachment)**

Planting Defines Neighborhood Character: Yes! It is part of a grove of trees that line Masonic Avenue.

Prominent Landscape Feature: Yes. Due to the Blackwood Acacia's size and maturity it is an outstanding group of mature street trees

Character Defining Form: Yes, Large exceptional branch structure and size.

Profiled in a publication or media: Listed in Michael Sullivan's book, The Trees of San Francisco. (P. 13) Blackwood Acacias on Masonic Avenue.

Tree Condition: Good. The fact that it is a city tree, subject to various adverse conditions, it does have some health problems as described by the Bureau of Urban Forestry. However, the experts agree that the tree does not pose an immediate hazard. The Department of Public Works has agreed to monitor this tree on a regular basis.

Accessible from public right of way: Yes, high visibility in the sidewalk with branches out over curbs.
High Traffic Area: Yes, contributes greatly to traffic calming and improving pedestrian safety.
Wind and Sound barrier: Yes, contributes to peace and quiet for residents.
Important Wildlife Habitat: Yes, bird songs great!

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

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REGULAR MEETING
DRAFT MINUTES

Tuesday, December 11, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, Malcolm Hillan, Mark Sustarich

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The Urban Forestry Council Landmark Tree Committee Meeting was called to order at 4:00 p.m. Present: Chair Boss, Members Blair and Hillan; Excused: Member Griswold and Sustarich.

2. **Adoption of Minutes of the November 13, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting.** (Discussion and Action) Upon Motion by Member Blair and second by Chair Boss, the November 13, 2007 Meeting Minutes were approved without objection. (Ayes: Chair Boss, Members Blair and Hillan; Absent: Members Griswold and Sustarich.) (Explanatory Document: Approved Minutes of the November 13, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=71673.)

3. **Hearing on a Nomination for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following address meets the criteria for designation as a landmark tree (Discussion and Action) (Explanatory Documents: 1245 Masonic Packet (1) (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/1245MasonicBackgroundPacketPart1.pdf and (2) (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/1245MasonicBackgroundPacketPart2.pdf)

   - **Blackwood Acacia Tree (Acacia melanoxylon) located at 1245 Masonic Avenue, Assessor's Block 1244, Lot 005.**

   At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration.

   Chair Boss explained the nomination process stating that all three members present would have to vote the same in order to endorse or not endorse the tree for landmark tree status. The tree would be forwarded to the Urban Forestry Council to consider at their meeting on Friday, December 14.

   Staff Analysis: Ms. Mei Ling Hui, Urban Forestry Council Coordinator presented her Landmark Tree Evaluation and Criteria Form and described her findings e.g. that the tree is large, of significantly advanced

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www.sfenvironment.com
Telephone (415) 355-3709 Fax 554-6393 E-mail: SFUrbanForestCouncil@sfgov.org

age, has neighborhood appreciation, planting defines neighborhood character, located in a high traffic area, and additional criteria. It was stated that because of the tree's size, it contributes significantly to the reduction of environmental impacts the city has to outlying areas and has positive environmental impacts in carbon sequestration and rainwater absorption. Ms. Hui did conclude that the tree is a beautiful tree that should not be removed; however the tree's health issues preclude it from landmark tree status.

Property Owner's Presentation, Including Outside Professional Staff: Mr. Roy C. Leggitt, III, Consulting Arborist stated that he was hired by Mr. Stephen Haigh (the property owner at 1241-1245 Masonic Street where the tree is located) to examine the tree. Mr. Leggitt presented a Resistograph Testing report describing the risk factors associated with the tree and recommended that the tree be removed. Mr. Leggitt also stated that the Department of Public Works staff relayed that they had concerns about a scaffold limb that was torn out on the street side and how that would affect future limb development. It was stated that the tree is green and healthy in terms of the foliage but without mechanical structure, a tree can be hazardous. Mr. Leggitt described his experience as an arborist and provided a description of the tree and his experience with other Blackwood Acacia trees that tend to fail.
The Committee was encouraged to not endorse landmark tree status because the tree does not meet landmark tree criteria and because of liability and defect issues.

Mr. Stephen Haigh stated that he is against landmarking the tree because of documented defects by two City arborists and two independent arborists. Mr. Haigh expressed his concern that the tree could fall over onto cars on the street and onto pedestrian traffic and described three other incidents of acacia trees falling over in the neighborhood. It was stated that there were two hearings with the Department of Public Works (DPW) Urban Forestry staff who originally wanted to have the tree removed. Mr. Haigh stated that he has submitted a signed petition and letters from the neighborhood asking that the tree not be landmarked and replaced with the planting of two large trees of a different species, as he indicated he would do.

Ms. Hui stated that the Bureau of Urban Forestry did originally allow the removal of the tree. In her conversation with Urban Forestry staff, it was explained that the tree is not in any immediate danger of failing and if it were in danger of failing, they would remove the tree themselves. Because of considerable neighborhood opposition to removal of the tree at the public hearing, the request for removal was revoked. Bureau of Urban Forestry was told to examine the tree every three months to check on its condition. Then the Board of Permit Appeals process happened and tree removal was allowed.

Public Comment

Support of Landmarking

Ms. Julia Wallace, 1247-1251 Masonic Avenue property owner, described her appreciation of the tree, the tree providing shade, a wind and sound barrier, its beauty, and how new trees would not be as beautiful as this tree. Ms. Wallace stated that there is no reason to cut this tree down at this time as it can be inspected regularly and noted that other arborists advised that it could live another 10-20 years.

Mr. Gabriel Berns, Ph.D.1235 Masonic Avenue, stated that he has lived in the neighborhood for 26 years and has enjoyed the presence of the tree tremendously as it shades his house, adds beauty to the neighborhood, softens the area, and provides protection against pollution and noise. Mr. Berns stated that the property owner wanted the tree removed because he is a non-resident landlord and does not have the same appreciation. Letters and a petition had been submitted for support of landmark status. Mr. Berns also explained that there had been other arborist reports stating that the tree does not pose an immediate danger. Ms. Hui explained that Mr. Ed Brennan, arborist, had indicated that the tree is in overall poor condition but that his report also indicated that the tree was not likely to cause harm to the surrounding structures or to the building if it were to fail. Mr. Brennan concluded that the tree is a moderate hazard.

Ms. Rachel Swaby, 1237 Masonic Avenue, stated that she would not be currently residing at her residence if it were not for the tree providing a noise barrier and shelter from traffic. Ms. Swaby described the tree's contribution to the surrounding neighborhood and her appreciation for the tree.

Mr. Paul Minasian, 1233 Masonic Avenue, stated that the property owner's motive is to remove the tree in order to build a garage. Mr. Minasian stated that the neighborhood is the main gateway to the Haight Ashbury and if you take the trees down, the gateway to a world famous neighborhood changes. It was stated that the tree probably would not be a liability to the property owner, and if the tree were landmarked, that the liability would be with the City.

Opposition to Landmark Status

Mr. David Grassi, Contractor for 1245 Masonic Avenue, asked Ms. Blair to recuse herself from voting because of her ongoing support for landmark status. Mr. Grassi stated that the tree meets some of the criteria for landmark status; however, if the tree were to fall it would fall either on the street, the sidewalk or on Mr. Haigh's house and Mr. Haigh would incur the liability. It was indicated that Mr. Haigh's offer to plant two trees would meet all of the neighborhoods' requirements and concerns and would be healthy trees that would provide additional future benefits.

Committee Evaluation Reports

Member Hillan presented his Evaluation Form and described his criteria ratings concluding that there was no reason to remove the tree except for the garage project and that mitigation would affect the tree spacing, which has changed already. Member Hillan stated that he appreciates the quality of life the tree provides for dwellers, but did not feel the tree qualified for landmark status. Member Blair discussed her Evaluation Form noting the criteria that would qualify the tree for landmark status. It was stated that replacing the tree with other trees would not provide the same significance to the neighborhood character. Member Blair strongly expressed her support for landmark tree status. Chair Boss reported on his findings concluding because of the commonality, size and condition of the tree it did not meet the criteria for landmark tree status.

Staff Rebuttal

Urban Forestry Coordinator Hui stated that the tree is an exceptionally beautiful tree and agrees with neighbor's comments about its significant presence on the block. Ms. Hui did feel that because of the arborist reports and other comments indicating the poor health of the tree that it should not landmarked; however, she felt that it should not be removed either.

Property Owner Rebuttal

Mr. Haigh stated that the smaller tree in front of Mr. Berns' property should be watered occasionally and indicated that the City is responsible for maintaining street trees, but had not noticed that the tree is being regularly watered. It was stated that if the tree were to be watered more frequently, they would grow taller in a shorter amount of time. Mr. Haigh also explained that that under the appeal decision that if he were to plant two new trees, that he would be responsible for watering them which is his intention. It was stated that in the appeal hearing, Ms. Carla Short of the Department of Public Works Urban Forestry Division noted that the existing tree did have significant structural damage.

Discussion and Action by Committee

Member Blair motioned to approve landmark status of the tree on 1245 Masonic Avenue without a second. Member Hillan motioned to deny landmark status seconded by Chair Boss. Member Blair voted no to deny landmark status (Absent: Members Griswold and Sustarich). Neither motion passed and would be forwarded to the Urban Forestry Council without recommendation for their consideration at their December 14 meeting. Chair Boss explained that the Committee is not voting to remove the tree by voting against landmark status. It was reported that the tree is a significant tree, which affords the tree certain levels of protection. However, the Urban Forestry Council is not the body that makes that determination.

All explanatory documents including evaluation reports, pictures, petitions, community letters, and arborist reports are provided in the link by Agenda Item 3 above.

4. **Landmark Tree Evaluation Criteria.** (Discussion) The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the November 13, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm and Other Jurisdiction Examples **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/JurisdictionsCriteriaFormsExamples.pdf**)

   Urban Forestry Council Coordinator Hui presented a packet of material that included an overview of other tree preservation programs and other cities' nomination forms and criteria for landmark status (Explanatory Document: (PDF). It was stated that there are two types of programs for landmark, heritage, and historic trees (1) either the program is similar to San Francisco's where there is a set of criteria that are examined and trees are considered on an individual basis, or (2) all trees of a certain size or type, or a certain size and type together are automatically landmarked. Ms. Hui explained that climatic influences are specified in other jurisdiction's forms, but do not appear on our forms; however other specifics are in line with other jurisdictions. Other cities also noted specific trees that were not eligible for landmark status; e.g., a certain species of acacias were on the list.

   This agenda item was continued to Tuesday, January 8, 2008 in order for members to review explanatory documents.

5. **Outreach Plan for Landmarking of Trees**. The Committee will vote to approve a final outreach letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Action) (Explanatory Document: Draft Outreach Letters (PDF) **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/OutreachLettersDrafts.pdf** (Continued from the November 13, 2007 Meeting).

   Urban Forestry Council Coordinator Hui presented (1) Committee members' edited versions of the original document that added goals and included grammatical and formatting revisions and (2) a final version that included edits with the exception of adding additional goals. Ms. Hui recommended not adding goals asking each Supervisor to nominate two trees a year as the landmark tree nomination process for 22 trees a year would be more trees than can be handled at this time. Chair Boss supported Ms. Hui's decision because the Committee has not yet voted on goals. Member Blair requested that the Council consider an agenda item deciding how many trees the Council can reasonably consider in a year. Ms. Hui suggested that this item be considered at the January Council meeting.

Chair Boss motioned to adopt Ms. Hui's final edited version for recommendation to the Urban Forestry Council, seconded by Member Hillan (AYES: Chair Boss, Members Blair and Hillan; Absent: Members Griswold and Sustarich). This item would be heard at the Urban Forestry Council's January meeting.

6. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion). (Continued discussion from the November 13, 2007 Meeting) (Explanatory Document: Correspondence and Examples of tags and methods (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/VisibleIdentificationTagsexamples.pdf)

Deputy City Attorney Cabrera asked the members to review Public Works Code 802(g) in order to be cognizant of not affixing something that may injure the tree.

Urban Forestry Council Coordinator Hui stated that she had contacted other cities inquiring about their methods for visibly identifying landmark trees. It was reported that some cities put plaques on and others do not have visible methods. Ms. Hui researched cost effective and non-damaging methods and presented examples of tree tags, methods for tagging trees, and a plaque by the National Arborist Association and the International Society of Arboriculture recognizing a significant tree. Member Hillan discussed having a GPS location on the web. Chair Boss explained that the objective is to determine methods to celebrate and visibly identify the tree by pedestrians and other passersby similar to historic plaques on landmark buildings. It was indicated that if you don't know where the website is located, you would never know that it was a landmark tree.

Member Hillan suggested placing something in the sidewalk next to the tree. Member Hui explained that there is no current funding and removing squares of concrete and putting a plaque on the sidewalk would be outside of financial capabilities at this time. Ms. Hui recommended that the Council research grants to apply for. Chair Boss recommended that a budget allocation request be made for this project. Member Hillan suggested that the sponsor be asked to take the responsibility for establishing a plaque or other visible identification, and Ms. Hui reported that the Ordinance would have to be amended.

Ms. Hui also presented examples of spikes that could be placed in the ground next to the tree in concrete or in soil and would not be expensive to reproduce. A discussion was held about using a brass marker/benchmark similar to what is used on hiking trails. Ms. Hui indicated she would bring a picture to the next meeting. Chair Boss asked Ms. Hui to research arboretum and other botanical methods of labeling trees. Member Blair suggested an educational project where children could make ceramic and mosaic designs as part of their art project class.

Member Hillan was assigned to work on what should be conveyed and determine the required size. A proposal for benchmark text would be considered at the January 8, 2007 Committee meeting. Member Blair stated that the benchmark should include the date, landmark, and name of the tree.
Committee members were asked to send Member Hillan their ideas before the next meeting.

7. **2008 Landmark Tree Committee Agenda and Documentation Notification Schedule for 2008** (Discussion and Action). The Landmark Tree Committee will discuss revising the 10-day notice requirements for agendas and documentation.

   Ms. Fish reported that the Committee had previously voted on a ten-day agenda and landmark tree documentation posting schedule. It was suggested that the requirement be amended to six calendar days before the meeting in order to meet the 60-day hearing requirement and take into account Board of Supervisors meeting schedules in which trees are nominated. Chair Boss stated that changing the schedule would help insure that the 180-day protection status would not be lost for the tree.

   The Committee discussed holding meetings on dates other than Tuesdays when the Board of Supervisors meets in order for Supervisors' representatives to be more readily available to attend meetings when sponsoring a tree. Ms. Fish indicated that the Board of Supervisors also has Committee meetings on other days of the week which may pose a scheduling conflict.

   Upon Motion by Chair Boss and second by Member Hillan, the 2008 Landmark Tree Committee agenda and notification schedule was changed to six calendar days (AYES: Chair Boss, Members Blair and Hillan; Absent: Members Griswold and Sustarich).

8. **New Business/Future Agenda Items** (Information and Discussion). A recommendation was made to place legislative aides on the agenda mailing list so they can be notified of hearings and attend meetings when sponsoring a tree. Member Blair discussed the possibility of the Council being reduced from 15 to 7 members and asked when the Department of the Environment would discuss the proposal with the Council and when it would be appropriate to hold discussions. Deputy City Attorney Cabrera advised that this topic should be discussed at the full Council meeting as it affects the entire Council. Ms. Cabrera stated that in order for a membership change to take place, that there would have to be a change to the Urban Forestry Ordinance.

9. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

10. **Adjournment.** The Landmark Tree Committee meeting adjourned at 6:15 p.m.

Landmark Tree Hearing Recommended Guidelines

The Committee Chair has the discretion to change speaker order or length of time for each speaker if the Chair determines the request to be reasonable.

1) Sponsor for nomination (8 min)
2) Staff analysis (8 min)
3) Property owner's presentation, including outside professional staff (8 min)
4) Affected property owner's presentation, including outside professional staff (8 min)
5) Public comment (up to 3 min/per person)
6) Committee Evaluation Reports (8 min total)
7) Staff Rebuttal (3-5 min)
8) Property Owner Rebuttal (3-5 min)
9) Affected property owner rebuttal (3-5 min)
10) Discussion and Action by Committee

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF THE ENVIRONMENT
URBAN FORESTRY COUNCIL
LANDMARK TREE COMMITTEE

REGULAR MEETING
APPROVED MINUTES
Tuesday, December 11, 2007, 4:00 p.m.
City Hall, Room 421
One Dr. Carlton B. Goodlett Place
San Francisco, CA

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COMMITTEE MEMBERS: Mike Boss (Chair), Carolyn Blair, Steve Griswold, Malcolm Hillan, Mark Sustarich

ORDER OF BUSINESS

1. **Call to Order and Roll Call.** The Urban Forestry Council Landmark Tree Committee Meeting was called to order at 4:00 p.m. Present: Chair Boss, Members Blair and Hillan; Excused: Member Griswold and Sustarich.

2. **Adoption of Minutes of the November 13, 2007 Urban Forestry Council Landmark Tree Committee Regular Meeting.** (Discussion and Action) Upon Motion by Member Blair and second by Chair Boss, the November 13, 2007 Meeting Minutes were approved without objection. (Ayes: Chair Boss, Members Blair and Hillan; Absent: Members Griswold and Sustarich.) (Explanatory Document: Approved Minutes of the November 13, 2007 Regular Meeting http://sfgov.org/site/sfenvironment_page.asp?id=71673.)

3. **Hearing on a Nomination for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following address meets the criteria for designation as a landmark tree (Discussion and Action) (Explanatory Documents: 1245 Masonic Packet (1) (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/1245MasonicBackgroundPacketPart1.pdf and (2) (PDF) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/1245MasonicBackgroundPacketPart2.pdf)

   - **Blackwood Acacia Tree (Acacia melanoxylon) located at 1245 Masonic Avenue, Assessor's Block 1244, Lot 005.**

   At the conclusion of the hearing, the Landmark Tree Committee will vote on whether to approve or reject the nomination and shall adopt written findings to support its decision to forward to the Urban Forestry Council. The Council will forward approved nominations to the Board of Supervisors for further consideration.

   Chair Boss explained the nomination process stating that all three members present would have to vote the same in order to endorse or not endorse the tree for landmark tree status. The tree would be forwarded to the Urban Forestry Council to consider at their meeting on Friday, December 14.

   Staff Analysis: Ms. Mei Ling Hui, Urban Forestry Council Coordinator presented her Landmark Tree Evaluation and Criteria Form and described her findings e.g. that the tree is large, of significantly advanced age, has neighborhood appreciation, planting defines neighborhood character, located in a high traffic area, and additional criteria. It was stated that because of the tree's size, it contributes significantly to the reduction of environmental impacts the city has to outlying areas and has positive environmental impacts in carbon sequestration and rainwater absorption. Ms. Hui did conclude that the tree is a beautiful tree that should not be removed; however the tree's health issues preclude it from landmark tree status.

Property Owner's Presentation, Including Outside Professional Staff: Mr. Roy C. Leggitt, III, Consulting Arborist stated that he was hired by Mr. Stephen Haigh (the property owner at 1241-1245 Masonic Street where the tree is located) to examine the tree. Mr. Leggitt presented a Resistograph Testing report describing the risk factors associated with the tree and recommended that the tree be removed. Mr. Leggitt also stated that the Department of Public Works staff relayed that they had concerns about a scaffold limb that was torn out on the street side and how that would affect future limb development. It was stated that the tree is green and healthy in terms of the foliage but without mechanical structure, a tree can be hazardous. Mr. Leggitt described his experience as an arborist and provided a description of the tree and his experience with other Blackwood Acacia trees that tend to fail.
The Committee was encouraged to not endorse landmark tree status because the tree does not meet landmark tree criteria and because of liability and defect issues.

Mr. Stephen Haigh stated that he is against landmarking the tree because of documented defects by two City arborists and two independent arborists. Mr. Haigh expressed his concern that the tree could fall over onto cars on the street and onto pedestrian traffic and described three other incidents of acacia trees falling over in the neighborhood. It was stated that there were two hearings with the Department of Public Works (DPW) Urban Forestry staff who originally wanted to have the tree removed. Mr. Haigh stated that he has submitted a signed petition and letters from the neighborhood asking that the tree not be landmarked and replaced with the planting of two large trees of a different species, as he indicated he would do.

Ms. Hui stated that the Bureau of Urban Forestry did originally allow the removal of the tree. In her conversation with Urban Forestry staff, it was explained that the tree is not in any immediate danger of failing and if it were in danger of failing, they would remove the tree themselves. Because of considerable neighborhood opposition to removal of the tree at the public hearing, the request for removal was revoked. Bureau of Urban Forestry was told to examine the tree every three months to check on its condition. Then the Board of Permit Appeals process happened and tree removal was allowed.

Public Comment

Support of Landmarking

Ms. Julia Wallace, 1247-1251 Masonic Avenue property owner, described her appreciation of the tree, the tree providing shade, a wind and sound barrier, its beauty, and how new trees would not be as beautiful as this tree. Ms. Wallace stated that there is no reason to cut this tree down at this time as it can be inspected regularly and noted that other arborists advised that it could live another 10-20 years.

Mr. Gabriel Berns, Ph.D.1235 Masonic Avenue, stated that he has lived in the neighborhood for 26 years and has enjoyed the presence of the tree tremendously as it shades his house, adds beauty to the neighborhood, softens the area, and provides protection against pollution and noise. Mr. Berns stated that the property owner wanted the tree removed because he is a non-resident landlord and does not have the same appreciation. Letters and a petition had been submitted for support of landmark status. Mr. Berns also explained that there had been other arborist reports stating that the tree does not pose an immediate danger. Ms. Hui explained that Mr. Ed Brennan, arborist, had indicated that the tree is in overall poor condition but that his report also indicated that the tree was not likely to cause harm to the surrounding structures or to the building if it were to fail. Mr. Brennan concluded that the tree is a moderate hazard.

Ms. Rachel Swaby, 1237 Masonic Avenue, stated that she would not be currently residing at her residence if it were not for the tree providing a noise barrier and shelter from traffic. Ms. Swaby described the tree's contribution to the surrounding neighborhood and her appreciation for the tree.

Mr. Paul Minasian, 1233 Masonic Avenue, stated that the property owner's motive is to remove the tree in order to build a garage. Mr. Minasian stated that the neighborhood is the main gateway to the Haight Ashbury and if you take the trees down, the gateway to a world famous neighborhood changes. It was stated that the tree probably would not be a liability to the property owner, and if the tree were landmarked, that the liability would be with the City.

Opposition to Landmark Status

Mr. David Grassi, Contractor for 1245 Masonic Avenue, asked Ms. Blair to recuse herself from voting because of her ongoing support for landmark status. Mr. Grassi stated that the tree meets some of the criteria for landmark status; however, if the tree were to fall it would fall either on the street, the sidewalk or on Mr. Haigh's house and Mr. Haigh would incur the liability. It was indicated that Mr. Haigh's offer to plant two trees would meet all of the neighborhoods' requirements and concerns and would be healthy trees that would provide additional future benefits.

Committee Evaluation Reports

Member Hillan presented his Evaluation Form and described his criteria ratings concluding that there was no reason to remove the tree except for the garage project and that mitigation would affect the tree spacing, which has changed already. Member Hillan stated that he appreciates the quality of life the tree provides for dwellers, but did not feel the tree qualified for landmark status. Member Blair discussed her Evaluation Form noting the criteria that would qualify the tree for landmark status. It was stated that replacing the tree with other trees would not provide the same significance to the neighborhood character. Member Blair strongly expressed her support for landmark tree status. Chair Boss reported on his findings concluding because of the commonality, size and condition of the tree it did not meet the criteria for landmark tree status.

Staff Rebuttal

Urban Forestry Coordinator Hui stated that the tree is an exceptionally beautiful tree and agrees with neighbor's comments about its significant presence on the block. Ms. Hui did feel that because of the arborist reports and other comments indicating the poor health of the tree that it should not landmarked; however, she felt that it should not be removed either.

Property Owner Rebuttal

Mr. Haigh stated that the smaller tree in front of Mr. Berns' property should be watered occasionally and indicated that the City is responsible for maintaining street trees, but had not noticed that the tree is being regularly watered. It was stated that if the tree were to be watered more frequently, they would grow taller in a shorter amount of time. Mr. Haigh also explained that that under the appeal decision that if he were to plant two new trees, that he would be responsible for watering them which is his intention. It was stated that in the appeal hearing, Ms. Carla Short of the Department of Public Works Urban Forestry Division noted that the existing tree did have significant structural damage.

Discussion and Action by Committee

Member Blair motioned to approve landmark status of the tree on 1245 Masonic Avenue without a second. Member Hillan motioned to deny landmark status seconded by Chair Boss. Member Blair voted no to deny landmark status (Absent: Members Griswold and Sustarich). Neither motion passed and would be forwarded to the Urban Forestry Council without recommendation for their consideration at their December 14 meeting. Chair Boss explained that the Committee is not voting to remove the tree by voting against landmark status. It was reported that the tree is a significant tree, which affords the tree certain levels of protection. However, the Urban Forestry Council is not the body that makes that determination.

All explanatory documents including evaluation reports, pictures, petitions, community letters, and arborist reports are provided in the link by Agenda Item 3 above.

4. **Landmark Tree Evaluation Criteria.** (Discussion) The Committee will continue to discuss redefining landmark tree evaluation criteria and discuss criteria used in other jurisdictions. (Continued from the November 13, 2007 Meeting) (Explanatory Documents: Original Landmark Tree Evaluation Criteria (Word) http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/LandmarkTreeCriteria.doc Evaluation Criteria Revised 050307 http://web1.sfgov.org/site/uploadedfiles/LMTcriterarev50307.doc and Phytosphere Guidelines for Developing and Evaluating Tree Ordinances http://www.phytosphere.com/treeord/heritage.htm and Other Jurisdiction Examples **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/JurisdictionsCriteriaFormsExamples.pdf**)

   Urban Forestry Council Coordinator Hui presented a packet of material that included an overview of other tree preservation programs and other cities' nomination forms and criteria for landmark status (Explanatory Document: (PDF). It was stated that there are two types of programs for landmark, heritage, and historic trees (1) either the program is similar to San Francisco's where there is a set of criteria that are examined and trees are considered on an individual basis, or (2) all trees of a certain size or type, or a certain size and type together are automatically landmarked. Ms. Hui explained that climatic influences are specified in other jurisdiction's forms, but do not appear on our forms; however other specifics are in line with other jurisdictions. Other cities also noted specific trees that were not eligible for landmark status; e.g., a certain species of acacias were on the list.

   This agenda item was continued to Tuesday, January 8, 2008 in order for members to review explanatory documents.

5. **Outreach Plan for Landmarking of Trees**. The Committee will vote to approve a final outreach letter to the Board of Supervisors, Department Heads, the Planning Commission, and Landmarks Preservation Advisory Board requesting that they consider trees in their jurisdiction for landmark status (Discussion and Action) (Explanatory Document: Draft Outreach Letters (PDF) **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/OutreachLettersDrafts.pdf** (Continued from the November 13, 2007 Meeting).

   Urban Forestry Council Coordinator Hui presented (1) Committee members' edited versions of the original document that added goals and included grammatical and formatting revisions and (2) a final version that included edits with the exception of adding additional goals. Ms. Hui recommended not adding goals asking each Supervisor to nominate two trees a year as the landmark tree nomination process for 22 trees a year would be more trees than can be handled at this time. Chair Boss supported Ms. Hui's decision because the Committee has not yet voted on goals. Member Blair requested that the Council consider an agenda item deciding how many trees the Council can reasonably consider in a year. Ms. Hui suggested that this item be considered at the January Council meeting.

Chair Boss motioned to adopt Ms. Hui's final edited version for recommendation to the Urban Forestry Council, seconded by Member Hillan (AYES: Chair Boss, Members Blair and Hillan; Absent: Members Griswold and Sustarich). This item would be heard at the Urban Forestry Council's January meeting.

6. **Visible Identification of Landmark Trees after Designation.** The Landmark Tree Committee will discuss methods for visibly identifying trees that have received landmark tree status (Discussion). (Continued discussion from the November 13, 2007 Meeting) (Explanatory Document: Correspondence and Examples of tags and methods (PDF) **http://web1.sfgov.org/site/uploadedfiles/sfenvironment/meetings/ufc_landmarktree/supporting/2007/VisibleIdentificationTagsexamples.pdf)**

Deputy City Attorney Cabrera asked the members to review Public Works Code 802(g) in order to be cognizant of not affixing something that may injure the tree.

Urban Forestry Council Coordinator Hui stated that she had contacted other cities inquiring about their methods for visibly identifying landmark trees. It was reported that some cities put plaques on and others do not have visible methods. Ms. Hui researched cost effective and non-damaging methods and presented examples of tree tags, methods for tagging trees, and a plaque by the National Arborist Association and the International Society of Arboriculture recognizing a significant tree. Member Hillan discussed having a GPS location on the web. Chair Boss explained that the objective is to determine methods to celebrate and visibly identify the tree by pedestrians and other passersby similar to historic plaques on landmark buildings. It was indicated that if you don't know where the website is located, you would never know that it was a landmark tree.

Member Hillan suggested placing something in the sidewalk next to the tree. Member Hui explained that there is no current funding and removing squares of concrete and putting a plaque on the sidewalk would be outside of financial capabilities at this time. Ms. Hui recommended that the Council research grants to apply for. Chair Boss recommended that a budget allocation request be made for this project. Member Hillan suggested that the sponsor be asked to take the responsibility for establishing a plaque or other visible identification, and Ms. Hui reported that the Ordinance would have to be amended.

Ms. Hui also presented examples of spikes that could be placed in the ground next to the tree in concrete or in soil and would not be expensive to reproduce. A discussion was held about using a brass marker/benchmark similar to what is used on hiking trails. Ms. Hui indicated she would bring a picture to the next meeting. Chair Boss asked Ms. Hui to research arboretum and other botanical methods of labeling trees. Member Blair suggested an educational project where children could make ceramic and mosaic designs as part of their art project class.

Member Hillan was assigned to work on what should be conveyed and determine the required size. A proposal for benchmark text would be considered at the January 8, 2007 Committee meeting. Member Blair stated that the benchmark should include the date, landmark, and name of the tree.
Committee members were asked to send Member Hillan their ideas before the next meeting.

7. **2008 Landmark Tree Committee Agenda and Documentation Notification Schedule for 2008** (Discussion and Action). The Landmark Tree Committee will discuss revising the 10-day notice requirements for agendas and documentation.

   Ms. Fish reported that the Committee had previously voted on a ten-day agenda and landmark tree documentation-posting schedule. It was suggested that the requirement be amended to six calendar days before the meeting in order to meet the 60-day hearing requirement and take into account Board of Supervisors meeting schedules in which trees are nominated. Chair Boss stated that changing the schedule would help insure that the 180-day protection status would not be lost for the tree.

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9. **Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There was no public comment at this time.

10. **Adjournment.** The Landmark Tree Committee meeting adjourned at 6:15 p.m.

Approved: April 8, 2008

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